Digitized by the Internet Archive
in 2012 with funding from
California State Library Califa/LSTA Grant

http://archive.org/details/minutesofmeeting1990huma

AFM-5070

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

SF
H80
#1
1/11/90

REGULAR COMMISSION MEETING

Thursday, January 11, 1990
Auditorium, Room 300
Department of Public Health
TIME: 9:00 A.M.

DOCUMENTS DEPT.
JAN 9 1990
SAN FRANCISCO
PUBLIC LIBRARY

REVISED AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Election
4. Approval of the Minutes of the Meetings of Thursday, November 9, 1989 and Thursday, December 14, 1989
5. Communications

   Special Items: 1. Planning for the 1990 Census:
   Norm Ishimoto
   U.S. Census Bureau
   District Office Manager
   San Francisco Office, North

   2. Appointment of a Hearing Officer in the appeal from the Director's Finding in the matter of Chun-Hoon vs. Duty Free Shoppers, Inc.: Don Hesse

6. Report of the Chairperson
7. Executive Director's Report

   A. Report on participation in the Martin Luther King Birthday Celebration: James Fields

   B. Planning for HRC Staff Workshop/Retreat: Gail P. Roberts

8. Standing Committees:

   LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

   A. Adoption of a Resolution Reaffirming HRC's Commitment to Domestic Partners

   B. Approval of the sending of a letter to Health and Human Services Secretary Louis Sullivan requesting HHS to include Paul Gibson's suicide study

   C. Adoption of a Resolution of Appreciation for Dan Turner

   D. Committee Report

3 1223 04591 3424

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Committee Report: Community Forum on Hate Violence, meeting with co-panelists from the Coalition on Civil Rights. Background and explanation of the role of the panelists during the Forum

YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

A. Approval of Support in principle for Coleman Advocates' Children's Budget

B. Approval of Commendation of James Buick and the Mayor's Council on Criminal Justice

C. Committee Report

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

A. Planning for HRC's FY 90-91 General Fund Budget: David Treanor

B. Adoption of Policy on Language Diversity

MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

A. Committee Report

B. MBE/WBE/LBE Ordinance II implementation - update

HOUSING AND URBAN DEVELOPMENT: Commissioner Adrian Bermudez Jr., Chairperson

A. Committee Report

EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

A. Committee report

9. New Matters
10. Calendar Matters
11. Remarks from the Audience
12. Adjournment

GPR:se
152 Reg Com MtglCorres

5 46526 SFPL : ECONO IRS
102 SFPL 06/08/01 111

SF
HEO
1 2
1/11/90

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 Market Street, Room 501
San Francisco, CA 94103
(415) 558-4901 (TDD available)

DOCUMENTS DEPT.
FEB 27 1990
SAN FRANCISCO
PUBLIC LIBRARY

Minutes of the Meeting of Thursday, January 11, 1990

NEXT MEETING

DATE: Thursday, January 25, 1990
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commissioner Lawrence Martin at 9:13 A.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, Isadore Pivnick, Peter Sammon

Excused: Leonard Graff

HRC Staff: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Paul De Rosa, Intern; James Fields, Bayard Fong, Jacquie Hale, Donald Hesse, Carolyn Hom, Nat Mason, Veronica Ng, Richard Norton, Norm Nickens, Gail P. Roberts, Panetta Scott, David Treanor, Pansy P. Waller, Gary Wong, Vicky Zimpel

Guests: Briant Chun-Hoon; Norm Ishimoto, U.S. Census Bureau; Officer Rachel Karp, S.F. Police Department; Orville Luster, Athena Management, Inc.; Lester Olmstead-Rose, Community United Against Violence; Rosario Navarette, S.F. Commission on the Status of Women; Ann Noel, Fair Employment and Housing Commission; Deborah Quinn-Carpenter, NAACP; Jeff Santis, Jewish Community Relations Council; Michael Wong, Break the Silence Coalition; Robin Wu, Chinese for Affirmative Action

ELECTIONS

Commissioner Martin noted that elections were being held as required by the Charter. He noted he had appointed an Election Committee composed of Commissioners Lucile Lockhart, Frankie Gillette, and Isadore Pivnick. Commissioner Lockhart reported the Committee's recommendation of a slate: Commissioner Karen Kai as Chair, and Commissioner Isadore Pivnick as Vice Chair.

It was
*** m/s/c to accept the report of the Election Committee.

It was
*** m/s/c to nominate Commissioner Karen Kai as Chair.

It was
*** m/s/c that nominations for Chair be closed.

It was
*** m/s/c that a unanimous vote be recorded for the single slate of officers presented by the Elections Committee for 1990.

Commissioner Kai assumed the Chair, and noting that officers must be elected individually, re-opened nominations for Vice Chair.

It was
*** m/s/c to nominate Commissioner Isadore Pivnick for Vice Chair.

It was
*** m/s/c to close nominations for Vice Chair.

Commissioner Kai called for the vote; Commissioner Pivnick was unanimously elected as Vice Chair.

APPROVAL OF MINUTES

It was
*** m/s/c to adopt the minutes of November 9, 1989 as presented.

It was
*** m/s/c to adopt the minutes of December 14, 1989 as presented.

COMMUNICATIONS

Commissioner Martin called attention to the Communications file and noted it would circulate among Commissioners.

To Peter Jamero, Executive Director, from Eva Paterson, Chair, Coalition for Civil Rights, a letter received December 4, 1989, to share a summary of Coalition activities and to learn more about the HRC -- its mandate, operations, staff and program.

To Jane Morrison, Chairperson, Friends of the S.F. Human Rights Commission, from Commissioner Karen Kai, a letter dated December 5, 1989, expressing pleasure with FHRC serving as the fiscal agent for the Commissioners' reception, "Celebrate Diversity" and describing tentative plans.

To Peter Jamero, Director, from Herman Thorn, Jr., Coalition for Black and Disadvantaged Truckers Rights, a letter received December 6, 1989, thanking him for his telephone call of November 30, 1989 which requested a meeting on December 3 or 4, but declining that opportunity.

From Claude Everhart, Deputy Mayor for Governmental Operations, to Herman Thorn, Jr., Coalition for Black and Disadvantaged Truckers Rights, a letter dated January 9, 1990, responding to Mr. Thorn's letter regarding HRC/Airport non-compliance with the Minority/Women/Local Business Enterprises program, conveying the Mayor's personal commitment to the M/W/LBE program, responding in detail to the concerns raised, and offering to convene a meeting for him with HRC Executive Director Jamero and San Francisco International Airports Director Turpen.

A copy of a letter to Mayor Art Agnos from Herman Thorn, Jr., Coalition for Black and Disadvantaged Truckers Rights, received January 10, 1990, requesting a response to their letter of November 21, 1989 in regard to non-response to complaint against City and County of San Francisco, Human Rights Commission and awarding agencies.

A copy of a Resolution commemorating December 10, 1989, as the 41st anniversary of the Universal Declaration of Human Rights, and urging San Franciscans to participate and support the promotion of human rights, received December 13, 1989.

A copy of Ida Strickland's December 13, 1989 "Frankly Speaking" column in The Sun-Reporter expressing concerns regarding the HRC.

From Peter M. Jamero, Executive Director, to Frank Anderson, Adelbert Campbell, Linda Chin, James Fields, Bayard Fong, Jacquie Hale, Carolyn Hom, Nathaniel Mason, Veronica Ng, Richard Norton, Clemente Newball-Obregon, Bernedette Patrocinio, Panetta Scott, Carmen Smith, and Pansy P. Waller, a memorandum received December 14, 1989, conveying congratulations on their hard work and participation in the successful Bonding/Insurance Workshop held November 17, 1989.

To All HRC Staff from Peter M. Jamero, Executive Director, a memorandum dated December 18, 1989, reporting back on the Commissioner/Management Staff Retreat and conveying the consensus reached at the Retreat.

To All HRC Staff from Peter M. Jamero, Executive Director, a copy of the December 26, 1989 memorandum, conveying the organizational structure approved by the Commission, the description of unit responsibilities and the staff assignments.

From Mara E. Rosales, Deputy City Attorney, to all Department Heads, a memorandum received December 26, 1989, explaining that Ordinance No. 425-89, signed by the Mayor November 22, 1989, changes the existing practices regarding the award of construction and purchasing contracts; that MBE, WBE, and LBE bid preferences do not apply to construction and purchasing contracts over $10 million; however, departments must continue to perform good faith efforts on all contracts.

To Lucile Lockhart from Dr. David Werdegar, Director of Health, Department of Public Health, a letter received December 27, 1989, responding to her letter regarding accessibility to the rostrum in the auditorium of the Health Department at 101 Grove Street and explaining that a more permanent ramp replacing a temporary ramp, will be put in place and available for regular use.

From Peter M. Jamero, Executive Director, to Claude Everhart, Deputy Mayor, a memorandum dated December 27, 1989, requesting a status report on the implementation of a three-step plan in response to the HRC resolution calling for improvements in the Police Department's handling of demonstrations.

To Peter M. Jamero, Executive Director, from Louis J. Giraudo, President, Police Commission, a letter received January 2, 1990, acknowledging receipt of the Commission's recommendations with respect to the San Francisco Police Department and advising that their recommendations are being considered by the Police Commission.

From John L. Taylor, Clerk of the Board of Supervisors, to the Mayor, Department Heads, the Budget Analyst, and the Employee Relations Director, a letter received January 5, 1990, transmitting a copy of the fourth draft of a Charter amendment, File No. 225-89-1, to establish the Human Rights Commission as a Charter Commission, and requesting comments as to its effect within ten days after receipt of this request.

copy of memorandum to the MBE/WBE/LBE Committee from Clemente Newball-Obregon, dated January 8, 1990, covering the request and granting of waivers requested by city departments from October, 1989 through December, 1989.

o All HRC Staff from Peter M. Jamero, Executive Director, a memorandum dated anuary 9, 1990, establishing staff rotational practices which provide pportunities for staff to experience different assignments that are reflective of he diversity of work within HRC.

o Commissioners from Commissioner Karen Kai and five Commissioners from other City ommissions, a letter received January 10, 1990, requesting participation in the Celebrate Diversity" reception.

rom Mayor Art Agnos to Department Heads and Commission Presidents, a letter eceived January 10, 1990, specifying his priorities for FY 1990-91 and describing epartmental budget preparations.

rom Peter M. Jamero, Executive Director, to participants in the HRC's ecember Commissioner/Management Staff Retreat, a memorandum dated January 10, 1990, eporting on the status of ideas generated at the December retreat.

Waivers Granted: No waivers were granted from November 21, 1989 through January 10, 1990

orman Ishimoto, District Office Manager, S.F. Office North, U.S. Census Bureau

Mr. Ishimoto noted that HRC was the first organization he was addressing n his outreach efforts to make sure that the 1990 Census was as accurate and omplete as possible. He noted that the Census is used for many purposes, ncluding allocations of public school classroom space, teachers and budget, olitical representation at the State and Federal levels, and identification f specific population groups. He noted that the 1980 Census had received riticism for under-counting several groups, and solicited the support of the

HRC and community groups to assist in identifying specific populations which might be under-counted, assisting people in filling out Census forms, and encouraging participation. Commissioner Gillette asked what types of employment opportunities would be available; Mr. Ishimoto replied that the Bureau would hire over 1,000 temporary employees, at minimum wage to $7.50 per hour. He noted that he hoped to hire people in the community so that Census money could stay in the community. He noted he would meet with Director Peter Jamero the next day to discuss further how HRC can become involved.

Commissioner Peter Sammon asked what guarantees could be offered that the Census Bureau would not pass along its information to other agencies or persons. Mr. Ishimoto replied that a combination of factors, including hiring the best qualified people to take the Census (who work under oath and penalty of a $5,000 fine and five years in prison), legal confidentiality of Census information for seventy years, prohibitions on the release of lists with fewer than 2,000 names and a U.S. Supreme Court decision validating laws which insure that no one be allowed access to Census information all worked to provide as much of a guarantee as possible.

Commissioner Kai thanked Mr. Ishimoto for his presentation.

Appointment of Hearing Officer in the Appeal from the Director's Finding in the matter of Chun-Hoon vs. Duty Free Shoppers, Inc.: Don Hesse

Mr. Hesse reported that staff recommended retaining Lynette Jee as hearing officer. He noted that after the hearing, the case would go to the Commission for final hearing. He explained that he was handling the case in lieu of the Executive Director, as Director Jamero had delegated his part in the case on the advice of the City Attorney, who felt Mr. Jamero had a potential conflict of interest. Commissioner Gillette asked when this officer was last employed; Mr. Hesse noted that it had been some time since any hearing officer had been employed by the HRC, as the need had not arisen.

It was
*** m/s/c to accept Lynette Jee as the hearing officer in the case of the appeal of the Director's finding in the case of Briant Chun Hoon.

REPORT OF THE CHAIRPERSON

Commissioner Kai asked if former Chair Commissioner Martin wished to report; he noted he had no report.

Commissioner Kai announced that invitations to the "Celebrate Diversity" reception had been received, noting that all minority City Commissioners had been asked to serve as the Host Committee, and encouraged all Commissioners to attend and participate.

DIRECTOR'S REPORT

Director Jamero thanked Commissioner Martin for his support during his tenure as Chair. He congratulated the new officers, noting that they had the staff's support.

In reporting on correspondence, Director Jamero reported on a letter from the Coalition of Black Truckers which indicated HRC had not responded to their earlier letter. He noted that information from the Mayor's Office had been received only the previous day, and a response had been sent immediately, which had evidently crossed with the Coalition's letter in the mail.

He reported that staff was implementing HRC's new organizational structure. A new policy has been established whereby staff could "rotate" in and out of the Administrative Unit to take on special projects, at the request of the Director. He noted that the purpose of this policy was to provide optimum opportunity to staff to experience different kinds of jobs.

He called Commissioners' attention to his memorandum to them included in their meeting packets which outlined consensus reached at the December Commissioner/Management Staff Retreat. He noted follow-up was still needed to develop a mission statement, goals and priorities, and restructuring of the Commission itself.

Director Jamero reported that an agreement had been reached recently with businesses in the Bay View-Hunter's Point area which was very positive and would allow the community to get early attention for construction projects. He commended Bert Campbell, Frank Anderson, and Nat Mason for their good work in establishing these arrangements.

He then asked James Fields of the Commission staff to report on preparations for Martin Luther King, Jr.'s Birthday. Mr. Fields called attention to a memorandum outlining events in the Commissioners' meeting packets. Events planned around the national theme of "Let Freedom Ring" included a Freedom Plane to national observance ceremonies in Atlanta, Georgia; the Fifth Annual Labor/ Community Breakfast; a Freedom Train from San Jose to San Francisco; a Freedom March from Justin Herman Plaza to Civic Auditorium; a rally, entertainment, exhibits and speakers at Civic Auditorium; a luncheon sponsored by the Lawyer's Committee for Urban Affairs; a benefit concert at the Western Workers Labor Heritage Festival; a salute to Dr. King by Viacom; and the showing of a new "Eyes on the Prize" PBS series.

Mr. Jamero reported that preparations for an All-Staff Retreat were nearly finalized: staff had been surveyed for their input, a site had been found through a donation of meeting space by Shaklee, and the retreat facilitator had been chosen. She is Linda Coleman, Director of Organizational Development and for U.C.-Berkeley. The Staff Development Committee is continuing to receive input from staff and will meet with the facilitator prior to the Retreat.

Mr. Olmstead-Rose noted that the goal of the hearing was to gather information to use in designing a comprehensive, coordinated plan to respond to hate violence in San Francisco. He noted that the Committee organizing the forum had tried to include all affected groups. Ms. Noel reviewed the hearing agenda, which would focus on the scope and extent of the problem, what system response had been to date, and existing models for improved response. Written testimony was encouraged. (Note: Written testimony will be accepted through January 31, 1990.) Commissioner May Jaber asked who would speak representing the Palestinian-Arab community; Mr. Olmstead-Rose replied that Osama Damani would testify. Commissioner Kai thanked the forum organizers for their work, noting the great importance of the forum. Mr. Olmstead-Rose noted the additional importance of the partnership of the HRC and the Coalition for Civil Rights in co-sponsoring the hearings.. Brief discussion followed.

Continuing the Director's Report, there was discussion regarding HRC's response to a letter from the Coalition for Black and Disadvantaged Truckers Rights. Director Jamero reported that he had attempted to contact Herman Thorn of the company, who had said that further discussion was not advisable. Director Jamero noted that the Mayor's response to the letter had tried to address the company's complex concerns, that further discussion needed to be handled at the staff level in conjunction with Airport management, and that he also hoped to be able to discuss the matter with company representatives individually.

Some discussion followed, during which Commissioners expressed concern regarding HRC's response to H & H Trucking and any legal ramifications related to a response. Commissioner Kai agreed to contact the City Attorney's Office for advice on the latter.

*** m/s/c that Commissioner Kai and Pivnick would draft a letter to H & H Trucking Co. to express the Commission's concern regarding the company's allegations related to HRC.

STANDING COMMITTEES

LESBIAN/GAY ADVISORY COMMITTEE

Commissioner Lenore Chinn noted that at its most recent meeting, the Committee had discussed the lack of response on behalf of the Police Department to a letter from the Committee regarding a recent police raid on a private club on Folsom Street. She noted the Committee would monitor the matter and keep the Commission updated.

Commissioner Chinn also reported that the National Association of People with AIDS had called for a boycott of the upcoming International AIDS Conference to be held in San Francisco, in response to the Immigration and Naturalization Service's restrictions on international visitors with AIDS. She noted the INS's actions and the boycott could result in very heated community relations.

She reported that the Committee had discussed the strained relations between the lesbian/gay community and the Catholic church, and whether recent positions taken by the HRC reflected any anti-Catholic sentiment or racism. She noted the discussion would continue at the Committee's next meeting.

Commissioner Chinn then asked Norm Nickens of the Commission staff to report. Mr. Nickens noted items included in the Commissioners' meeting packets requiring Commission action.

It was
*** m/s/c to adopt the resolution recommended by the Lesbian/Gay Advisory Committee, reaffirming HRC's commitment to the rights of domestic partners, with portions deleted which stated "opponents of the (domestic partnership) legislation made untrue statements that Lesbian and Gay families do not deserve recognition, and that the cost of such recognition would be borne by taxpayers" (resolution attached to these minutes). The deletions resulted from some Commissioners' concerns that this language was unsupported in the text of the resolution, and that its removal would not detract from the intent of the resolution.

It was
*** m/s/c to adopt the resolution recommended by the Lesbian/Gay Advisory Committee commending Dan Turner, and honoring his contributions to the HRC and the community, including speaking out for the rights of people with AIDS, long service on the Lesbian/Gay Advisory Committee, and work as an HRC intern.

It was
*** m/s/c to send a letter to Louis Sullivan, Secretary, U.S. Department of Health and Human Services, objecting to his comments condemning a report which identified the huge problem of Gay and Lesbian youth suicide, which recommended that society and the families of these youth recognize homophobia as the cause of these suicides, and calling on Secretary Sullivan to denounce homophobia and to work actively to ensure that families be assisted to support their Lesbian/Gay children and to save their lives.

Social Issues and Police Liaison

Commissioner Sammon reported on HRC's public hearing on the Police and public demonstrations. He noted that in an earlier meeting, Deputy Mayor Claude Everhart had agreed to urge the Police Department to respond to HRC's recommendations from the hearing, after which HRC would review the Police Department's response and begin work with the Department on appropriate policies on crowd control and handling of public demonstrations. He reported that HRC had received no response from the Police Department regarding the recommendations themselves, and had received a letter from Chief Frank Jordan acknowledging his receipt of the recommendations. Commissioner Sammon expressed his extreme concern that a substantive response had not been received, as well as his hope that staff would receive a response that week. Commissioner Lockhart noted she wished to underline his comments, noting that the lack of response was no longer acceptable.

It was
*** m/s/c to approve the report of the Social Issues and Police Liaison Committee.

YOUTH AND EDUCATION

Commissioner Pivnick reported that the Committee had met in December, with good attendance. The Committee heard a presentation from Margaret Brodkin, Executive Director of Coleman Youth Advocates.

It was
*** m/s/c to endorse the concept of a 1990-91 "Children's Budget," funds specifically earmarked for children's services within the City's General Fund budget, as presented to and recommended by the Youth and Education Committee.

Commissioner Pivnick reported on the Committee's recommendation for the following:

It was
*** m/s/c to commend the City's Gang Prevention Program, with special recognition to Deputy Mayor Gayle Orr-Smith, James Buick of the Mayor's Council on Criminal Justice, and Tom Mayfield, Director of the Program.

It was
*** m/s/c to approve the report of the Youth and Education Committee.

ADMINISTRATIVE

Commissioner Kai asked Director Jamero to report. He called Commissioners' attention to a packet of budget information included in their meeting packets. It included a letter from the Mayor to Department Heads and Commission Presidents outlining budget priorities for 1990-91, including "ensuring that women and minority employees and businesses have full participation in the provision of all City services . . . (and) . . . continuing to find more efficient and responsive means of providing City services."

The letter also reviewed the budget request process, noting that only "baseline" (current funding level) budgets should be submitted, and that additional requests should be submitted as budget issues papers. The packet also included a revised budget timeline and initial drafts of HRC's budget issues. Commissioners were asked to review the packets. After some discussion, in light of the February 14, 1990 budget deadline, Commissioners agreed to review the packets and a meeting of the Commission as a Committee of the Whole was called for January 23, 1990, from 9:00 A.M. to 12:30 P.M., to continue work on a Commission mission statement, goals and objectives, and discuss the HRC's 1990 budget request.

Commissioner Gillette asked if monies to hire a consultant for the HRC's Select Committee on African American Parity project would be included in the HRC's 1990-91 budget request; Director Jamero expressed his hope that a consultant would be hired within the 1989-90 fiscal year and budget. Commissioner Pivnick asked if continued funding for a Commission Secretary would be included; Director Jamero assured him it would.

Director Jamero also noted that a report from the Mayor to the Board of Supervisors regarding the fiscal impact on the City from the October earthquake was scheduled for January 17, 1990, and that more information related to the budget would be available then.

Continuing the Committee's report, Commissioner Kai noted a memorandum from the Civil Service Commission asking all City Commissions to adopt a policy on language diversity in the workplace.

It was
*** m/s/c to adopt the Civil Service Commission Policy on Language Diversity.

Commissioner Lockhart asked that the Civil Service Commission be advised of the HRC's willingness to cooperate with it to implement the policy in whatever way possible.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner Jaber asked Frank Anderson of the Commission staff to report. Mr. Anderson reported that the Committee had met the previous evening. Three members had resigned and needed to be replaced. He noted that members need to have an interest in the MBE/WBE/LBE program, be available for one meeting each month, and have no conflict of interest or potential conflict of interest. He also noted the Committee's efforts to achieve parity among Committee members, in terms of gender and ethnic representation.

He reported that the staff re-organization had been reported to the Committee, including the re-assignment of Pansy P. Waller as staff person to the Committee. Clemente Newball-Obregon will be the new Committee staff person.

The Committee heard a report on the status of the HRC's proposed MBE/WBE/LBE program for subcontractors. Mr. Anderson noted that the Board of Supervisors would resume its hearings on the program January 22, 1990, and that the current version of the program's ordinance would be distributed to Commissioners for their comments.

Mr. Anderson reported that the Associated General Contractors (AGC) had sued the HRC in relation to the new MBE/WBE/LBE program. The AGC had also asked for a restraining order to prevent HRC from implementing the program, which Judge Henderson had denied.

He also noted a letter received from William Tamayo of the Asian Law Caucus reported on at the December Commission meeting, and that HRC would follow up on his concerns.

Deputy Director Bert Campbell then reported. He explained that the new MBE/WBE/LBE ordinance required reports to the Board of Supervisors quarterly and annually. He reported that the first annual report would be due on March 1, 1990. Due to delays in initially establishing the management information system for the program, limited data will be available by that time. Available information will be primarily a narrative account of the first six months of the program, and will contain data from City departments who maintained their systems for data collection from the previous ordinance governing the program. Full information should be available for the 1991 annual report. He noted that the report would be delivered first to the Committee, then to the Commission. He also noted that the report was being prepared in conjunction with the Mayor's Affirmative Action Task Force.

Vicky Zimpel of the Commission staff then reviewed the new management information system for the program. She noted that the information which will be obtained will be much more reliable than in the past, as it is taken directly from the Controller's Office. HRC will be the central collection point for information needed to monitor the program, which will be gathered from the Controller's Office, the Purchaser, and directly from City departments.

Ms. Zimpel noted that delays in establishing the system had stemmed primarily from delays in hiring the consultant for the project, who will organize the information into usable form. She reported that all staff members of her unit were being trained in the system, and that the MBE/WBE/LBE Monitoring Unit will initially have one terminal, and later greater access to program data through the system. Commissioner Gillette asked how often reports would be generated; Ms. Zimpel replied that reports would be received weekly, but could be requested daily, as needed.

Ms. Zimpel noted that Chris Baldo of the Controller's Office had been very helpful in establishing the program, and asked that the Commission acknowledge his work; Commissioner Pivnick and others concurred.

It was
*** m/s/c to accept the report of the MBE/WBE/LBE Community Advisory Committee.

HOUSING AND URBAN DEVELOPMENT

Commissioner Adrian Bermudez thanked Commissioners Kai and Lockhart for their support as he began his leadership of the Committee. He reported that the Committee had met on December 20, 1990 to discuss the Commission's possible recommendations following the October earthquake, noting that he would report to the Commission again once the recommendations were finalized.

It was
*** m/s/c to accept the report of the Housing and Urban Development Committee.

EMPLOYMENT COMMITTEE

Commissioner Gillette reported that the Committee had met, and that as a result of the HRC's staff re-organization, the staff person for the Committee had changed. She thanked Carmen Smith of the Commission staff, outgoing staff person to the Committee, and commended her for her help. She noted that the Committee's new staff person would be Gary Wong. She also reported that the next meeting of the Committee would be on Thursday, January 18, 1990, 9:00 A.M. at the Veterans' Building.

It was
*** m/s/c to accept the report of the Employment Committee.

NEW MATTERS

There was no new business.

CALENDAR MATTERS

The next meeting of the Commission will be held on January 25, 1990.

STANDING COMMITTEES

ADMINISTRATIVE	to be announced
EMPLOYMENT	Thursday, January 18, 1990, 9:00 A.M. Room 110B, Veteran's Building, 401 Van Ness Avenue
HOUSING AND URBAN DEVELOPMENT	to be announced
LESBIAN/GAY ADVISORY	Tuesday, January 18, 1990, 5:30 P.M. Room 110B, Veteran's Building, 401 Van Ness Avenue
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, February 21, 1990, 5:30 P.M. Room 110B, Veteran's Building, 401 Van Ness Avenue
SOCIAL ISSUES/POLICE LIAISON	Wednesday, January 10, 1990, 9:00 A.M. Room 110B, Veteran's Building, 401 Van Ness Avenue
YOUTH AND EDUCATION	Thursday, January 18, 1990, 3:30 P.M. Commission on Aging Conference Room, 25 Van Ness Avenue
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Tuesday, January 23, 1990, 9:00 A.M. Room 110B, Veteran's Building, 401 Van Ness Avenue

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

There being no further business to conduct, Commissioner Kai adjourned the meeting at 12:02 P.M.

Respectfully submitted,

Peter M. Jamero, Executive Director
by
Jacquie Hale, Coordinator

PMJ:JH:np&jh
[HRC/Min]CORR3

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

DOCUMENTS DEPT.

JAN 2 3 1990

SAN FRANCISCO PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
MEETING
COMMITTEE OF THE WHOLE

DATE: Tuesday, January 23, 1990
TIME: 9:00 A.M. - 12:30 P.M.
PLACE: Training Room A, Second Floor
Shaklee Building
444 Market Street
(between Battery & Front Streets)
San Francisco, CA 94111

AGENDA

No.	Item	Time Allocated
1.	Approval of the Minutes of the Administrative Committee Meetings of August 24, 1989 and November 28, 1989.	5
2.	Discussion and review, leading to adoption of HRC Mission Statement	30
3.	Discussion and review, leading to adoption of HRC FY90-91 Goals and Objectives	30
4.	Discussion and review, leading to adoption of HRC Priorities for FY90-91	30
	BREAK: 10:50 A.M.	15
5.	Discussion of FY90-91 General Fund Budget Issues based on HRC Priorities	45
6.	Discussion and review, leading to adoption of the restructuring of HRC standing committees	30
7.	Discussion, leading to revision of Commission agenda format	5
8.	Strategizing for Ballot Measure establishing HRC as a Charter Commission	15
9.	Other matters which the Chair may deem appropriate.	5

NOTE: Action taken by the Committe of the Whole is to be affirmed by the full Commission at its regular meetings of either Thursday, January 25, 1990, or Thursday, February 8, 1990.

GPR:np
HRC M/GPR[CORR5]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

F
480
1
25/90

REGULAR COMMISSION MEETING

Thursday, January 25, 1990
Department of Public Health
101 Grove Street
San Francisco, CA 94102
Auditorium, Room 300
TIME: 9:00 A.M.

DOCUMENTS DEPT.

JAN 23 1990

SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

1. Roll Call
2. Pledge of Allegiance
3. Approval of the Minutes of the Meeting of Thursday, January 11, 1990
4. Communications
5. Report of the Chairperson
6. Executive Director's Report
7. Committee of the Whole
   A. Adoption of HRC Mission Statement
   B. Adoption of HRC Goals and FY90-91 Objectives
   C. Adoption of HRC Priorities for FY90-91
   D. Adoption of the restructuring of HRC standing committees
   E. Revision of Commission agenda format
   F. Strategy for Ballot Measure establishing HRC as a Charter Commission

8. Standing Committees:

   EMPLOYMENT: Commissioner Frankie Gillette, Chairperson

   A. Adoption of "San Francisco is Cool!" - Report of the Public Hearing on Summer Employment and Recreational Opportunities for Youth.

   B. Committee Report

   MBE/WBE/LBE COMMUNITY ADVISORY: Commissioner May Jaber, Chairperson

   A. Committee Report

   YOUTH AND EDUCATION: Commissioner Isadore Pivnick, Chairperson

   A. Committee Report

LESBIAN/GAY ADVISORY: Commissioner Leonard Graff, Chairperson

A. Committee Report

SOCIAL ISSUES AND POLICE LIAISON: Commissioner Father Peter J. Sammon, Chairperson

A. Report on "Hate No More: Toward Ending Prejudice-Based Violence" Community Forums

HOUSING AND URBAN DEVELOPMENT: Commissioner Adrian Bermudez Jr., chairperson

A. Committee Report

ADMINISTRATIVE: Commissioner Karen N. Kai, Chairperson

No Report

10. New Matters
11. Calendar Matters
12. Remarks from the Audience
13. Executive Session: Discussion of internal personnel issues
14. Adjournment

GPR:se
l721Doc

SF
H80
1 2
1/25/90

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

DOCUMENTS DEPT.
FEB 27 1990
SAN FRANCISCO
PUBLIC LIBRARY

Minutes of the Meeting of Thursday, January 25, 1990

NEXT MEETING

DATE: Thursday, February 8, 1990
TIME: 9:00 A.M.
PLACE: Department of Public Health
101 Grove Street, Auditorium, Room 300

The meeting was called to order at 9:13 A.M. by Commissioner Karen N. Kai, Chair.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, Isadore Pivnick

EXCUSED: Peter J. Sammon

HRC Staff Peter J. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Paul De Rosa, Intern; James Fields; Jacquie Hale; Carolyn Hom; Donald Hesse; John Hurst, Intern; Ed Ilumin; Zula Jones; Eric Mar, Intern; Nat Mason; Norm Nickens; Richard Norton; Gail P. Roberts; David Treanor; Vicky Zimpel

Guests George Kirido, Japanese American Citizens League

APPROVAL OF MINUTES

It was
*** m/s/c to approve the minutes of the Commission meeting of January 11, 1990 with the following corrections:

Page 4, Report of the Chairperson, to read: "Commissioner Kai announced that invitations to the 'Celebrate Diversity' reception had been mailed, noting her understanding that all minority City commissioners had been asked to serve as the Host Committee, and encouraged all HRC Commissioners to attend and participate."

Page 5, Director's Report, to read: "Gail Roberts reported that preparations for an all staff retreat were nearly finalized..."; "retreat facilitator...is Linda Coleman, Director of Organizational Development for the City of Berkeley"; report on the "Hate No More" community forum listed as a "time certain item" scheduled for 10:00 A.M.; references to "hearing" changed to "community forum".

COMMUNICATIONS

Commissioner Kai noted the Communications memorandum and circulated the file.

To Michael Reisch, Ph.D., Director, Department of Social Work Education, San Francisco State University, from Peter M. Jamero, Executive Director, a letter dated December 27, 1989, declining his invitation to teach "Social Differences and Social Work Practices (SW 470) during Spring Semester 1990.

To Peter Jamero, Director, from Louis A. Turpen, Director of Airports, a letter received January 2, 1990, requesting assistance and cooperation in drafting an Memorandum of Understanding (MOU) between the Airport and the HRC for work order services and attaching a draft MOU.

To Louis A. Turpen, Director of Airports, from Peter M. Jamero, Director, a letter dated January 18, 1990, responding favorably to the request for an MOU, explaining that the HRC was moving in the direction of a MOU approach with other departments, and enclosing a draft MOU with the Department of Public Works.

To Commissioner Frankie Jacobs Gillette from Maria Goode Costen, a letter dated January 10, 1990, tendering her resignation from the Employment Committee with regret.

To Commissioner Karen N. Kai from Linda F. Davis, Deputy Superintendent, Division of Instruction, San Francisco Unified School District, a letter received January 16, 1990, answering her letter to Superintendent Cortines dated December 1, 1989, conveying responses to the concerns articulated.

A copy of a Proclamation from the Board of Supervisors, County of Lake, State of California proclaiming January 15, 1990 as Martin Luther King, Jr. Day and noting that Mrs. Frankie Gillette, a member of the Human Rights Commission of San Francisco, was to be the principal speaker at commemorative events to be held in Lake County.

To Peter Jamero, Director, from Aileen C. Hernandez, a letter received January 17, 1990, transmitting the evaluation summary of the Strategic Planning Retreat and explaining that she hoped to complete the summary of the seven questionnaires which arrived after the retreat in the near future.

To John L. Taylor, Clerk of the Board of Supervisors, from Peter M. Jamero, Executive Director, a letter dated January 17, 1990, explaining that the proposed Charter amendment establishing a Human Rights Commission would have no fiscal impact on the HRC.

To John J. Walsh, General Manager, Personnel, from Commissioner Karen N. Kai, Chair, a letter dated January 18, 1990, commending the Civil Service Commission for its initiation and promulgation of the Policy on Language Diversity and noting that the HRC adopted this Policy as applicable to the HRC as a City department.

To Shirley Rodrigues, Secretary to the Director of Health, from Commissioner Karen N. Kai, Chair, a letter dated January 18, 1990, expressing the Human Rights Commissioners' deep appreciation of her personal efforts which enabled the Commission to meet in the DPH Auditorium January 11, 1990.

To Peter M. Jamero, Director, from Lisa Maglio Leiberson, Deputy City Attorney, a letter received January 23, 1990, responding to the Bid Protest of Anshen + Allen in the Public Hospital Reactivation Project. (The City Attorney's Office concluded that Anshen + Allen's protest is without merit.)

To Pansy Waller and Carmen Smith, HRC staff, from Ricardo Noguera, Mission Economic Development Association, a letter received January 23, 1990, thanking them for their participation on the panel discussion at the HRC's insurance and bonding seminar for M/W/LBE's.

A copy of Ida Strickland's column: "Random Notes from City Hall in the Wednesday, January 17, 1990 edition of the The Sun Reporter.

To Peter Jamero, Executive Director, from Eva Paterson, Counsel, Coalition for Economic Equity, a letter dated January 19, 1990, expressing concern regarding the impact of the non MBE/WBE/LBE ordinance, and requesting the underlying data which BPA Associates relied upon, a copy of the quarterly report to have been prepared, and information on waivers granted.

From Adelbert L. Campbell to Commissioners, a memorandum dated January 23, 1990 responding to concerns articulated by Eva Paterson in an earlier letter received from her and explaining reporting requirements under the MBE/WBE/LBE ordinance.

A copy of a letter to the Board of Supervisors, from Sam Yockey, Controller, Harvey M. Rose, Budget Analyst, and Carol Wilkins, Deputy Mayor for Finance, explaining that because of an unusual number of uncertainties and major policy decisions, it

is not now possible to determine whether or not the City faces a budget shortfall in 1990-91.

To Peter M. Jamero, Director, from Gail P. Roberts, Coordinator, a memorandum dated January 24, 1990, commending Sadako Ekusa for her work to prepare for the HRC Committee of the Whole meeting on January 23, 1990.

To All HRC Commissioners and all HRC Staff Persons from Lawrence B. Martin, Chairperson, a memorandum dated January 22, 1990, expressing his sincere appreciation for outstanding performance.

Waivers
No waivers were granted since December 26, 1990.

CHAIR'S REPORT

Commissioner Kai reported that the HRC had a table at the annual labor-community breakfast in celebration of Dr. Martin Luther King, Jr.'s birthday. She thanked James Fields of the Commission staff for organizing the table. She noted that the event, which honored many community members for their contributions and featured essays read and written by elementary, middle and high school level students focusing on a quote from Dr. King, was very worthwhile and moving.

She reported that the "Celebrate Diversity" reception hosted by the City's minority commissioners would be held on March 28, 1990 at the Asian Art Museum, 5:30 P.M. to 7:30 P.M.

Commissioner Kai reported that she had visited the last meeting of the Employment Committee, and thanked its Chairperson, Commissioner Frankie Gillette, and Committee members for the opportunity to become familiar with their work.

She noted that the Commission's budget request and issues were due to the Mayor's Office on February 14, 1990, and initiated discussion as to the best way to facilitate Commissioners' input. It was decided to ask staff to summarize Commissioners' comments, to be submitted to staff by January 29, 1990, and to report back on them at the Commission meeting of February 8, 1990.

DIRECTOR'S REPORT

Director Jamero thanked James Fields of the Commission staff for his organizing of an HRC table at the annual labor-community breakfast celebrating the birthday of Dr. Martin Luther King, Jr., and HRC's involvement in other community events in honor of Dr. King. He also noted that Commissioner Frankie Gillette had been the featured speaker at observances of Dr. King's birthday in Lake County.

Director Jamero commended all those responsible for the success of the HRC's recent "Hate No More: Toward Ending Prejudice-based Violence" community forum held January 17-18, 1990. He thanked Commissioners Lockhart, Kai, Sammon, and Pivnick for their work on the forum, as well as staff members Don Hesse for his leadership in organizing the forum, Ed Ilumin and Panetta Scott for their assistance, and Jacquie Hale for media publicity. He noted that a full report and recommendations would be submitted to the Commission in the near future.

He also reported that the White Aryan Resistance had condemned the HRC and the community forums in its regular recorded messages during the past week, to which staff had been alerted. He reported that he had attended a meeting called by Reverend Cecil Williams, noting that Reverend Williams had testified as to his very recent experiences of prejudice-based violence and harassment at the forum. The meeting was to call together the community to ascertain interest in mounting a City-wide campaign against hate violence. The target date of the campaign is sometime in 1991. He noted that if such an event was organized, HRC would definitely be involved, and that he would keep the Commission updated. He also called attention to a column by Dr. Julianne Malveaux in the January 24, 1990 issue of The Sun Reporter regarding the forum, noting he hoped to be able to discuss the forum with Dr. Malveaux and Lulann McGriff, President of the San Francisco Chapter of the NAACP.

Director Jamero reported that lease negotiations related to the HRC's move of its offices to 25 Van Ness Avenue had been continuing and had resulted in minimal impact on its moving schedule. The City's Real Estate Department had informed him that HRC could plan to move by early March 1990.

He reported that the HRC staff would hold its planned Workshop (retreat) on February 1-2, 1990, at the training facilities of the Shaklee Corporation, with facilitator Linda Coleman. He noted that Ms. Coleman had been introduced to the HRC staff at a special staff meeting on January 22, 1990, and that she was meeting individually with all staff in preparation for the Workshop.

Director Jamero reported that he had participated in a community forum sponsored by KQED on January 16, 1990 on the 1990 Census. He noted that he continued to serve on the Mayor's Complete Count Committee, and would keep Commissioners informed as to further developments.

He called Commissioners' attention to a letter received from Eva Paterson, counsel for the Coalition for Economic Equity, regarding the need for information on the progress of efforts to establish a new ordinance to increase the number of minority and women-owned businesses subcontracting with the City and asking for specific information. He reported that he had met with the Coalition's leadership on January 24, 1990 regarding the Coalition's concerns and that accommodations with the Coalition had been reached.

He then called Commissioners' attention to a memorandum from Deputy Directory Bert Campbell included in their meeting packets related to HRC's implementation of the City's MBE/WBE/LBE ordinance (Chapter 12D of the Administrative Code). Deputy Director Campbell reported that a recent opinion issued by Deputy City Attorney Mara Rosales indicated that the annual report on the ordinance due in March 1990 must be based on a full fiscal year, which could not be provided until March 1, 1991. He reported that HRC will continue its efforts to computerize data collection related to the ordinance's implementation, and will report to the Mayor and the Board of Supervisors as fully as possible on in March 1990 as to progress under the new ordinance to date, after review by the M/W/LBE Community Advisory Committee and the Commission.

Commissioner Frankie Gillette inquired as to the status of several reports: a January 23, 1990 memorandum from Bert Campbell regarding MBE reporting; a January 19, 1990 letter from Eva Paterson regarding the granting of waivers; and a January 14, 1990 report from Aileen Hernandez regarding the HRC's Commissioner-Management Staff Retreat. Commissioner Kai noted that she believed that the letter mentioned from Ms. Paterson had been mailed directly to Commissioners by Ms. Paterson; Director Jamero noted he would make sure there was a complete distribution.

COMMITTEE OF THE WHOLE REPORT

Commissioner Kai reported that the Commission had met as a Committee of the Whole on January 23, 1990. She thanked the Shaklee Corporation for lending its meeting room.

She noted that several items were listed on the agenda for adoption which had been discussed at the Committee of the Whole's meeting and were not yet ready for action. She reported that drafts of an HRC mission statement and HRC goals and objectives for fiscal year 1990-91 had been discussed and that feedback would be coming from staff. She also noted other items not discussed which needed to be covered, including the restructuring of HRC standing committees, revision of Commission meetings' agenda format, and a June 1990 ballot measure establishing HRC as a Charter Commission. After some discussion, it was decided that the Commission would meet again as a Committee of the Whole at its February 8, 1990 regularly scheduled Commission meeting, and that other business originally scheduled for that meeting, with the exception of the HRC's 1990-91 budget request and issues, would be postponed until its next regular meeting on February 22, 1990.

STANDING COMMITTEES

EMPLOYMENT

Commissioner Frankie Gillette reported that the Committee's regular meeting had been rescheduled from February 1, 1990 to February 15, 1990 to accommodate the Staff Workshop (retreat). She reported that the Committee had a new member, Martha Thibodeaux, of the San Francisco Business and Professional Women's Club, replacing Maria Goode Costen, whose business involvements necessitated her resignation.

"San Francisco is Cool!" Report on Public Hearing on Summer Employment and Recreational Opportunities for Youth

Commissioner Gillette asked Frank Anderson of the Commission staff to report. Mr. Anderson submitted the report with the Committee's recommendation for adoption by the Commission, noting it contained the Committee's report and recommendations from the HRC's May 1989 public hearing on summer employment opportunities for youth in San Francisco. He also noted that the report included unverified public testimony and was a summary, rather than a verbatim account. He also noted that the original purpose of the report was to help increase summer employment opportunities for youth last year, and that preparations for the City's efforts for summer youth employment for this year were already underway. He commended Eric Mar, HRC intern, for his patient and diligent work on the report through its many drafts.

Some discussion followed regarding possible follow-up to the report. Commissioner Gillette thanked Mr. Anderson, Mr. Mar, and all staff who had participated in producing the report.

It was
*** m/s/c to adopt the "San Francisco is Cool!" report on HRC's public hearing on summer employment and recreational opportunities for youth.

SELECT COMMITTEE ON AFRICAN-AMERICAN PARITY (SCAAP)

Commissioner Gillette asked Commissioner Martin to comment. He noted that the hiring of a Principal Investigator was progressing, that two candidates were interviewed the previous week and that hearing dates had been postponed pending hiring. Some discussion followed. Commissioner Gillette noted that the Investigator, with HRC staff, would oversee the research and development of a report on the progress of African Americans in San Francisco in several broad areas over the past twenty-five years, and recommend a strategy for assuring equity and parity where needed. She also noted that specific information as to monies needed for the project was anticipated in the next two weeks.

It was
*** m/s/c to adopt the report of the Select Committee on African American Parity.

MBE/WBE/LBE COMMUNITY ADVISORY

Commissioner May Jaber noted the Committee had no report, and that its next meeting would be held on February 21, 1990, at 5:30 P.M. in the Veterans Building, Van Ness Avenue and McAllister Streets, in Room 110B.

YOUTH AND EDUCATION

Commissioner Isadore Pivnick reported that at its January 18, 1990 meeting the Committee had heard a presentation from Keith Choy, Director of the Mayor's Office of Children, Youth and Their Families. He noted that HRC and this Office held many common concerns, and that the Committee had offered Mr. Choy numerous suggestions.

Commissioner Pivnick also reported that Paul De Rosa, HRC intern, had represented the Committee and the HRC at the January 23, 1990 meeting of the Health Commission to urge that public health nurses be placed in public schools, and that his testimony had been well received.

It was
*** m/s/c to adopt the report of the Youth and Education Committee.

LESBIAN/GAY ADVISORY

Commissioner Leonard Graff noted that the Committee had no official report. He requested of the Chair that when new committee assignments were made, that Commissioner Chinn and he change offices within the Committee, so that he might serve as Vice-Chair and Commissioner Chinn then serve as Chair. He noted his increased need to be available for business travel, and his service as Chair for the past year. Commissioner Kai noted his request, and thanked both Commissioners Graff and Chinn for their service as Chair and Vice-Chair, respectively.

Commissioner Graff noted that the next meeting of the Committee would be held on January 20, 1990, at 5:30 P.M.

SOCIAL ISSUES AND POLICE LIAISON

"Hate No More: Toward Ending Prejudice-based Violence" Community Forum Report:

Commissioner Lucile Lockhart reported in Commissioner Peter Sammon's absence. She added to Director Jamero's earlier report, noting her disappointment that more people had not attended the forum, estimating those attending at approximately 100-150. In reference to a Sun Reporter column by Dr. Julianne Malveaux noting the lack of testimony from the Black community, she noted that she understood that materials had been sent to that community, and that staff was compiling information related to outreach for the forum. She noted that she shared some of Dr. Malveaux's concerns, and that a representative from the NAACP had served on the forum's organizing committee. She also noted that she hoped suggestions for increased openness in holding such forums in the future could develop from this forum and suggested that HRC write to let community members know of its willingness to hear community concerns.

Commissioner Lockhart noted that Commissioner Sammon and she would be following up on the lack of a substantive response from the Police Department to the HRC's recommendations stemming from its public hearing on police and public demonstrations.

She noted she had copies of a petition being circulated for the San Francisco Nuclear Free Zone Implementation Initiative. She asked those wishing to sign the petition or to get more information to contact her.

It was
*** m/s/c to adopt the report of the Social Issues and Police Liaison Committee.

HOUSING AND URBAN DEVELOPMENT

Commissioner Adrian Bermudez, Jr. noted that the Committee had no report.

ADMINISTRATIVE

Commissioner Karen Kai noted that the Committee had not met and had no report.

NEW MATTERS

There was no new business.

CALENDAR

The next regular meetings of the Commission will be held on February 8, 1990 at 9:00 A.M. and February 22, 1990 at 9:00 A.M. Both meetings will be held at the Department of Public Health, 101 Grove Street, Room 300 (auditorium).

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, February 15, 1990 9:00 A.M. Veteran's Building 401 Van Ness Avenue, Room 110-B
HOUSING & URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, February 20, 1990 5:30 P.M. Veteran's Building 401 Van Ness Avenue, Room 110-B
MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, February 21, 1990 5:30 P.M. Veteran's Building 401 Van Ness Avenue, Room 110-B
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Wednesday, February 21, 1990 9:00 A.M. Veteran's Building 401 Van Ness Avenue, Room 110-B
SOCIAL ISSUES/ POLICE LIAISON	Wedmesday. Febriaru 7, 1990 9:00 A.M. Veteran's Building 401 Van Ness Avenue, Room 110-B
YOUTH & EDUCATION	Thursday, February 15, 1990 Commission on Aging, Conference Room 25 Van Ness Avenue

REMARKS FROM THE AUDIENCE

There were none.

EXECUTIVE SESSION

The Commission met in executive session from 10:26 A.M. to 11:20 A.M. As it went into executive session, Commissioner Kai announced that there would be no further public portion of the meeting, and that the Commission would adjourn the executive session and the meeting as a whole at the same time.

ADJOURNMENT

The meeting was adjourned at 11:20 A.M.

Respectfully submitted,

Peter M. Jamero, Executive Director
by
Jacquie Hale, Coordinator

PMJ:JH:np
MINUTES JAN 25[SP]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

REGULAR COMMISSION MEETING

Thursday, February 8, 1990
Department of Public Health
101 Grove Street
Auditorium, Room 300
San Francisco, CA 94102
TIME: 9:00 A.M.

DOCUMENTS DEPT.
FEB 2 1990
SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

1. Roll Call
2. Approval of the Minutes of the Meeting of Thursday, January 25, 1990 and of the Committee of the Whole of Tuesday, January 23, 1990
3. Communications
4. Report of the Chairperson
5. Executive Director's Report
6. Remarks from the Audience
7. Special Item:
   Adoption of Budget Issues and Priorities for the FY90-91 General Fund Budget
8. Committee of the Whole
   A. Staff Workshop report
   B. Discussion, leading to adoption of HRC Mission Statement
   C. Discussion, leading to adoption of HRC Goals and FY90-91 Objectives
   D. Discussion, leading to adoption of HRC Priorties
   E. Discussion, leading to adoption of the restructuring of HRC standing committees
   F. Discussion, leading to revision of Commission agenda format
   G. Strategizing for Ballot Measure establishing HRC as a Charter Commission
9. New Matters
10. Calendar Matters
11. Adjournment

GPR:se
(72)Doc

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD Available)

Minutes of Meeting of Thursday, February 8, 1990

DOCUMENTS DEPT.
MAR 23 1990
SAN FRANCISCO
PUBLIC LIBRARY

Next Meeting:

DATE: Thursday, March 22, 1990
TIME: 9:00 a.m.
PLACE: Department of Public Health
101 Grove Street, Auditorium, Room 300

The meeting was called to order by Commissioner Karen N. Kai, Chair, at 9:25 a.m.

ROLL CALL

Commissioners:

Present: Adrian Bermudez, Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, Isadore Pivnick, Peter Sammon

Excused: None

Staff: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Linda Chin; Paul De Rosa (Intern); James Fields; Bayard Fong; Jacquie Hale; John Hurst (Intern); Ed Ilumin; Nathaniel Mason; Veronica Ng; Norm Nickens; Gail P. Roberts; Panetta Scott; David Treanor; Pansy P. Waller

Guests: Linda Coleman, HRC Staff Workshop Facilitator; Edwin M. Lee, Mayor's Office; Marilyn Thorn, Coalition for Independent Black and Disadvantaged Truckers' Rights

APPROVAL OF MINUTES

Commissioner Kai noted for the January 25, 1990 minutes under ROLL CALL, the correct spelling of the name of George Kondo, Japanese American Citizens League. She noted that the minutes of the Committee of the Whole meeting of January 23, 1990 were not yet available.

It was
*** m/s/c to approve the minutes of the meeting of Thursday, January 25, 1990 with corrections as noted.

COMMUNICATIONS

The Communications Folder was circulated among Commissioners.

To: HRC Unit supervisors from Deputy Director Adelbert Campbell, a memorandum dated January 24, 1990, underscoring policies and procedures which have been discussed in staff meetings and in individual conferences

A: copy of a letter from John L. Taylor, Clerk of the Board, addressed to the Mayor, Chief Administrative Officer, Controller, Budget Analyst, General Manager of Personnel, and Employee Relations Director, dated January 26, 1990, transmitting the first draft of a Charter amendment establishing an Office of Contract and Public Policy Compliance and requesting their input by February 5, 1990

To: Gail P. Roberts, Coordinator, from Sam Beck, Director and Senior Lecturer, Cornell University, a letter dated January 16, 1990, expressing appreciation for her work with Frederique Clermont, former HRC Intern

To: Karen Topping, Director of Public Relations, Shaklee Corporation, from Peter M. Jamero Executive Director, a letter dated January 26, 1990, expressing appreciation for the use of Shaklee training room for the January 23, 1990, Committee of the Whole meeting

To: Supervisor Jim Gonzales from Peter M. Jamero, Executive Director, a letter dated January 31, 1990 transmitting copies of the correspondence to and from Herman Thorn, Jr., Coalition for Black and Disadvantaged Truckers' Rights, for the February 5, 1990 hearing of the Governmental Operations Committee

To: All Commission Secretaries from Florence Stagner, Assistant to the Mayor, a memorandum dated January 26, 1990, regarding information on the election of officers and the prompt filing of Form 730 Economic Interest Statement

To: Florence Stagner, Assistant to the Mayor, from Gail P. Roberts, Interim Commission Secretary, a memorandum dated January 31, 1990, providing the information requested

To: Supervisor Jim Gonzalez from Peter M. Jamero, Executive Director, a letter dated February 5, 1990, providing further responses to the concerns expressed by the Coalition for Black and Disadvantaged Truckers' Rights and reiterating that the HRC is fully committed to the strong enforcement of the MBE/WBE/LBE Ordinance II

Waivers Requests:

(Note: The MBE/WBE/LBE Ordinance II authorizes the HRC to grant requests for waivers of the Ordinance's provisions to City departments upon request. The following is a report of waivers applied for, denied, or granted during the period of January 19, 1990 through February 2, 1990. Please call the Commission office for more information on the Ordinance's provisions or waiver requests.)

Dept.	Contract	Contractor	Amount of Contract	Granted/ Denied	Type of Waiver*	Date of Waiver
Public Health	AIDS educational video	Ideas in Motion	$15,000	granted	sole source	1/31/90

EXPLANATION: Contractor was already involved in production of AIDS educational video aimed at middle school-aged Hispanic youth, and exhausted private funds after completing majority of project. Through this contract the department was able to provide 16% of the video's total cost (the remainder provided by nine private foundations), and acquire copyright and use of the video.

KEY: sole source = needed goods or services available only from this contractor, who is not an MBE or WBE
emergency = necessary to respond to emergency; no time to apply bid preference (pursuant to S.F. Administrative Code Section 6.30)
LBE over $5 million = LBE in S.F. is unavailable, LBE outside SF is available, or significant costs to City if waiver not granted

REPORT OF THE CHAIRPERSON

As part of her report, Commissioner Kai introduced Ed Lee, Assistant to the Mayor and staffperson to the Employee Relations Division. He addressed the Commission, following up on the Task Force on Family Policy's earlier request to the Commission to co-sponsor a public hearing related to its work. He briefly described the Task Force and its work.

The Mayor established the Task Force in 1989, appointing 21 members and charging it to produce a report by March 1990 studying the projected impact of broadening the City's definition of "family," and subsequent projected effects on City employee benefits, City contracts, and City services. The Task Force has interviewed department heads and personnel directors. A special area of concern is health coverage. Several members of the Task Force are representatives of major health insurance companies. In order to receive public input for the report, the Task Force has set March 12, 1990 for the public hearing. He noted that Norm Nickens of the HRC's Lesbian/Gay, AIDS and Disability Unit had provided technical assistance to the Task Force.

Considerable discussion followed, during which several Commissioners expressed their concern regarding the short timeline for the hearing and the limited opportunity to do adequate community outreach, especially to minority communities, and in particular to the African American community. Commissioner Kai noted that Commissioner Martin had reported on the Task Force previously. She suggested that an ad hoc committee be established to meet with Mr. Lee and other Task Force representatives so that the Commission might be prepared to take action on the matter at the next Commission meeting. Commissioners Martin, Gillette and Graff

volunteered to serve on the Committee. Commissioner Lockhart asked that the Committee also make recommendations on how the Task Force's request fits in with the Commission's other priorities.

Continuing her report, Commissioner Kai reported that Director Jamero and she had met with the Coalition for Black and Disadvantaged Truckers' Rights on January 30, 1990, and asked him to discuss the meeting in his report.

Commissioner Kai reported that she had attended the Staff Workshop on February 1, 1990, finding it very constructive and valuable. Staff developed many good suggestions for the Commission, which will be put in writing. She noted that the next step in the Commission's planning process will be to hold a workshop with all Commissioners and all staff. She also thanked all staff for their participation, as well as Workshop Facilitator Linda Coleman.

She reminded the Commission of the "Celebrate Diversity" event to be held on Wednesday, March 28, 1990 at the Asian Art Museum, from 5:30 p.m. to 7:30 p.m. The event is a gathering of City Commissioners and leaders of community groups in the City. Mayor Agnos is expected to attend. Minority, lesbian/gay, and disabled City commissioners were to be asked to be on the event's host committee.

EXECUTIVE DIRECTOR'S REPORT

Director Jamero asked Staff Workshop Facilitator Linda Coleman for her comments the Workshop. She briefly recapped its accomplishments, noting that it was not a "retreat" (i.e., a concentrated period of two days or more, staying overnight), and many of the staff's interpersonal issues could not be worked on as effectively as in a retreat. She noted that feedback from staff so far had been that the Workshop was a valuable process. It had included preparation and follow-up interviews with each staffmember, and setting overall objectives. She stressed that the workshop represented a small, but important step in the direction of more communication.

Director Jamero thanked Ms. Coleman, as well as all staff who had contributed to the Workshop, especially James Fields and Gail Roberts, who handled logistics.

He then reported that there had been a hearing before the Rules Committee of the Board of Supervisors regarding a measure introduced by Supervisor Willie B. Kennedy to establish an Office of Contract Compliance and Public Policy in the Mayor's Office. HRC testified as to the advantages and disadvantages of the measure. He noted that a similar measure had been introduced a few years ago.

He also noted that Supervisor Kennedy had indicated that part of the intent of this recent legislation was to consolidate the various contract compliance efforts now operating in several City departments. She had also indicated that where this responsibility was placed was secondary. The proposal is now pending the call of the Chair of the Rules Committee.

Director Jamero also reported on a hearing that week before the Government Operations Committee of the Board of Supervisors regarding the concerns of the Coalition for Black and Disadvantaged Truckers' Rights and alleged non-compliance of the Airport and the HRC with respect to the award of Airport contracts under the MBE/WBE/LBE Ordinance II program. He noted that there would be continued dialogue on this matter, but that there had not been enough time at the Committee meeting to hear the many people who wished to testify. The item had subsequently been transferred to the Oversight Committee who will hear it on February 13, 1990.

He reported that Commissioner Kai, Deputy Director Campbell and he had met with eleven representatives of the Coalition for Black and Disadvantaged Truckers' Rights in his office. He noted that it was a very positive meeting. He also explained that the Coalition's primary purpose in the meeting was to discuss the assignment of a staffmember back to the central HRC office. They also discussed other mutual concerns regarding how to increase the effective response to minority and women's business communities at the Airport. He stressed the need to devote full attention to this area in order to ensure that maximum efforts are made, and to continue communication with the Coalition. He also reported that the Mayor had again responded to the Coalition, asking that it discuss its concerns with Airport Director Louis Turpen and Director Jamero, and offering to meet with it personally if their meetings were not productive.

He reported that the Complete Count Committee was continuing its work, and would meet the following week on February 14, 1990 with Barbara Everitt Bryant, Director of the U.S. Census Bureau to express its concerns. He noted that the Mayor had asked him to moderate the meeting and that he would report back to the Commission on conclusions and any significant developments.

Director Jamero reported that he had been asked to participate in a contingent on a study mission to Israel sponsored by the Jewish Community Relations Council, from March 11-21, 1990, and had tentatively accepted, as the request was in keeping with HRC's growing concern with broader human rights issues.

He reported on changes in staff assignments, noting that Kevin Williams had been assigned from the Airport to the HRC's central office; Pansy P. Waller will replace him at the Airport; Mary Gin Starkweather will be outstationed at the Department of Public Works pursuant to a new work order there; Jacquie Hale will begin work in the Systems and Development Unit. He also noted, with regrets, the resignation of Pauline Anderson, Supervisor of the HRC's Clerical Support Staff, after twenty-one invaluable years of service with the Commission. Ms. Anderson leaves the Commission for a promotive position in the Tax Collector's Office. Commissioner Martin requested a letter of commendation be sent to Ms. Anderson.

It was
*** m/s/c to send a letter of commendation to Pauline Anderson on the occasion of her resignation after twenty-one years of invaluable service to the Human Rights Commission, thanking her for her service to the Commission, and wishing her well in her new position.

Commissioner Lucile Lockhart expressed her concern regarding the re-assignment of Mary Gin Starkweather from her duties concerning disabled people and their issues. She expressed her understanding of the reasons for the re-assignment, and indicated her hope that her work and that of her supervisor, Norm Nickens, continue as soon as possible.

Gail Roberts reminded Commissioners that their annual Statements of Economic Interest must be filed by April 2, 1990.

Commissioner Leonard Graff commended Director Jamero on the initiation of a "Weekly Alert" memorandum from the HRC to the Mayor's Office as an excellent first step in improving HRC's communications. Director Jamero noted he would welcome any comments on making the Alerts a useful tool for the Commission.

REMARKS FROM THE AUDIENCE

Marilyn Marie Thorn, dba Marie Enterprises and representing the Coalition for Independent Black and Disadvantaged Truckers' Rights, submitted two volumes of information for the Commission's review which she stated were essential to the survival of Black and disadvantaged minorities. She also expressed her hope that Director Jamero's plans to join with the Coalition could be implemented, so that the Coalition could help in making the decisions which affected its members. Commissioner Kai thanked her for expressing her willingness to work with the HRC long-term. Commissioner Chinn also expressed her appreciation, and encouraged Ms. Thorn to attend meetings of the HRC's MBE/WBE/LBE Community Advisory Committee to familiarize the Committee with the Coalition's issues. Commissioner Martin thanked Ms. Thorn for directing the Coalition's concerns directly to the Commission.

In response to Commissioner Pivnick's inquiry, Commissioner Kai asked that the MBE/WBE/LBE Community Advisory Committee review the materials presented by Ms. Thorn and report to the Commission, and that copies of the materials be distributed to all Commissioners.

SPECIAL ITEM

Adoption of Budget Issues and Priorities for the FY 90-91 General Fund Budget

Commissioner Kai called attention to copies of materials included in their meeting packets. Director Jamero thanked Commissioners for their contributions to the staff's drafting of HRC goals and objectives and the budget. He noted that only items for which resources could be identified were included in the goals and objectives outline included for Commissioners' review. He asked David Treanor to

review budget proposals. The proposals included significant increases in requests for monies for training, public information, and efficiency/effectiveness measures. Considerable discussion followed.

It was
*** m/s/c to amend staff budget proposals to include $50,000 to support the efforts of the Select Committee on African American Parity, and that descriptions of the proposal be reviewed by Commissioner Martin before submission.

It was
*** m/s/c to amend staff budget proposals to include $10,000 for a survey on civil rights issues.

It was
*** m/s/c to approve budget proposals as prepared by staff, with amendments, and to submit them to the Mayor and Board of Supervisors.

The Commission recessed for a short break from 11:30 a.m. to 11:45 a.m.

NEW MATTERS

Director Jamero reported that a copy of a fraudulent letter had been submitted to HRC which appeared to be written by Eva Paterson and Lawrence B. Martin on behalf of the Coalition for Civil Rights and HRC, respectively. The letter had been grafted from a much earlier letter actually sent over the signatures of Ms. Paterson and Commissioner Martin inviting community participation in HRC's community forums on hate violence held in January. He noted that no such letter had been sent by these groups or individuals, and that the "fake" letter had likely been developed by a hate group in response to HRC's community forum. He stressed that the letter was a deliberate distortion, and that staff was following up on clarifying matters related to the letter and with the Police Department.

CALENDAR MATTERS

The next meetings of the Commission will be held on February 22, March 8, and March 22, 1990. Commissioner Peter Sammon asked that review and approval of rules of procedure related to the City of Refuge ordinance be calendared for the next meeting. Commissioner Kai asked that the recommendation on the Family Policy Task Force requests also be calendared for that meeting, and that other agenda items be limited to those requiring Commission action/vote.

Standing Committees:

ADMINISTRATIVE	to be announced
EMPLOYMENT	Thursday, February 15, 1990, 9:00 A.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
HOUSING & URBAN DEVELOPMENT	to be announced
LESBIAN/GAY ADVISORY	Tuesday, February 20, 1990, 5:30 P.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Wednesday, February 21, 1990, 5:30 P.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Wednesday, February 21, 1990, 9:00 A.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
SOCIAL ISSUES/ POLICE LIAISON	Wednesday, February 14, 1990, 9:00 A.M. HRC Offices, 1095 Market Street, Room 501
YOUTH & EDUCATION	Thursday, March 15, 1990, 3:30 P.M. Commission on Aging, Conference Room, 25 Van Ness Avenue

COMMITTEE OF THE WHOLE

A. Staff Workshops Report

(Please see DIRECTOR's REPORT.)

B. Discussion, Leading to Adoption of HRC Mission Statement

This item was continued to February 22, 1990 (please see below).

C. Discussion, Leading to adoption of HRC Goals and FY 90-91 Objectives

Commissioner Kai called Commissioners' attention to copies of a fourth draft of an outline of goals and objectives for the Commission developed by staff. Commissioner Martin communicated Commissioner Gillette's request to correct the draft; staff agreed to follow up. After some discussion, it was agreed that in the interests of time, this and other matters calendared for the Committee of the Whole's discussion would be continued to another Committee of the Whole meeting as part of the Commission's regularly scheduled meeting on February 22, 1990.

D. Discussion, Leading to Adoption of HRC Priorities
E. Discussion, Leading to adoption of the Restructuring of HRC Standing Committees
F. Discussion, Leading to Revision of Commission Agenda Format
G. Strategizing for Ballot Measure Establishing HRC as a Charter Commission

These items were continued to February 22, 1990 (please see above).

Commissioner Graff asked that copies of a memorandum included in the Communications analyzing the proposed amendment to include HRC in the City Charter be sent to all Commissioners.

ADJOURNMENT

There being no further business, Commissioner Kai adjourned the meeting at 12:02 p.m.

Respectfully submitted,

PETER M. JAMERO, EXECUTIVE DIRECTOR
by
JACQUIE HALE, COORDINATOR

PMJ:JH:jh
[MINUTES FEB 8]JHHRC2

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 Market Street, Room 501
San Francisco, CA 94103
(415) 558-4901 (TDD available)

Minutes of the Meeting of Thursday, February 22, 1990

NEXT MEETING

DATE: Thursday, March 8, 1990
TIME: 9:00 A.M.
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street

The meeting was called to order by Commissioner Karen N. Kai at 9:10 a.m.

ROLL CALL

Commissioners

Present: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, Isadore Pivnick, Peter Sammon

HRC Staff: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Paul De Rosa, Intern; James Fields, Bayard Fong, Jacquie Hale, Donald Hesse, Carolyn Hom, Nat Mason, Veronica Ng, Richard Norton, Norm Nickens, Gail P. Roberts, Panetta Scott, David Treanor, Pansy P. Waller, Gary Wong, Vicky Zimpel

Guests: Marilyn Marie Thorn, Coalition for Black and Disadvantaged Truckers' Rights; George Kondo, Japanese American Citizens League; Roberta Achtenberg, Mayor's Family Policy Task Force; Ed Lee, Mayor's Office; Ida Strickland, The Sun Reporter; Calvin L., CAABA

APPROVAL OF MINUTES

Commissioner Kai reported that she understood that the minutes were not available and that they would be sent as soon as possible.

COMMUNICATIONS

The Communications Folder was circulated among Commissioners.

TO: Supervisor Jim Gonzalez from Peter M. Jamero, Executive Director, a letter dated February 7, 1990, expressing appreciation for his willingness to take the initiative in pursuing the necessary funds to support an availability study relating to minority and women business contracting with the City and underscoring the critical importance of such data for a strong subcontracting ordinance and to provide current data for the MBE/WBE/LBE Ordinance II

TO: Peter Jamero, Executive Director, from Claire N. Isaacs, Director of Cultural Affairs, San Francisco Arts Commission, a letter received February 9, 1990, requesting comments on the second draft of the Proposed Arts Policy Plan by the end of February

TO: Claude Everhart, Deputy Mayor, from Commissioner Peter J. Sammon, received February 5, 1990, expressing concern that neither the Police Department nor the Police Commission has followed up adequately on the three-step plan agreed to November 22, 1990 in response to the HRC resolution calling for improvements in the handling of demonstrations; in addition, there has been no response from the Mayor's Office to Director Jamero's December 27, 1989 follow up memorandum

TO: Pauline Anderson, from Commission Chair Karen N. Kai, wishing her well in her new position as Principal Clerk in the Tax Collector's Office and congratulating her on her appointment

TO: Karen N. Kai and Peter M. Jamero from Briant K.L. Chun-Hoon, a letter received February 14, 1990, withdrawing his appeal the December 15, 1989 Director's Finding and requesting that Duty Free Shoppers provide the HRC with a written acknowledgement that, in the future, the selection process for any subleases or subcontracts will be conducted in a manner consistent with the requirements of Chapter 12D

TO: All Department Heads from the Clerk of the Board John Taylor and Deputy City Attorneys Randy Riddle and David Benjamin describing the reporting requirement for employees under the recently adopted Conflict of Interest Code

TO: Human Rights Commissioners from Peter M. Jamero, Executive Director, a memorandum dated February 15, 1990, transmitting the fifth draft of a Charter amendment establishing a Human Rights Commission and explaining the difference between fourth and fifth drafts

TO: HRC Commissioners from Peter M. Jamero, Executive Director, a memorandum dated February 16, 1990 providing detailed information regarding the Board of Suervisors' Oversight Committee hearings on M/WBE compliance by the Airport and the HRC and listing the action specified by the Oversight Committee

TO: Eva Paterson, Coalition for Economic Equity, from Peter M. Jamero, a letter dated February 21, 1990, summarizing meetings held with representatives of the Coalition for Economic Equity, progress in responding to their concerns, and expressing appreciation for the support of the Coalition with the MBE/WBE program and for the HRC

TO: Claude Everhart, Deputy Mayor, from Peter M. Jamero, Executive Director, a memorandum dated February 20, 1990, providing a Weekly Alert, summarizing issues and information

TO: Human Rights Commissioners from Pete M. Jamero, Executive Director, a memorandum dated February 21, 1990, announcing the appointment of Mercedita Rabel to the position of 1446 Secretary II and outlining her responsibilities

Waivers Requests:

(Note: The MBE/WBE/LBE Ordinance II authorizes the HRC to grant requests for waivers of the Ordinance's provisions to City departments upon request. The following is a report of waivers applied for, denied, or granted during the period of February 2-16, 1990. Please call the Commission office for more information on the Ordinance's provisions or waiver requests.)

Dept.	Contract	Contractor	Amount of Contract	Granted/ Denied	Type of Waiver*	Date of Waiver
Public Health	lab services	Damon Clinical Laboratories	$58,781	granted	sole source	2/20/90

Explanation:

Contract is temporary, for four months, to fill gap caused by departmental delay in RFP process related to Center for Disease Control approval. City was able to continue HIV testing and research services, especially in light of City liability considerations.

KEY: sole source = needed goods or services available only from this contractor, who is not an MBE or WBE
emergency = necessary to respond to emergency; no time to apply bid preference (pursuant to S.F. Administrative Code Section 6.30)
LBE over $5 million = LBE in S.F. is unavailable, LBE outside SF is available, or significant costs to City if waiver not granted

REPORT OF THE CHAIRPERSON

Commissioner Kai reported that Director Jamero and she had met with LuLann McGriff of the San Francisco Chapter of the NAACP and Julianne Malveaux of the Black Leadership Forum regarding their concerns related to the HRC's recent "Hate No More: Toward Ending Prejudice-based Violence" community forum. She noted that they had also discussed the activities of the HRC's Select Committee on African American Parity (SCAAP).

She reported that she had attended a recent meeting of the Mayor's Task Force on Family Policy and SCAAP in her continuing efforts to observe and participate in HRC-related groups and committees.

She also reported that she had attended a special meeting called by the Mayor to introduce his new pamphlet reviewing the progress of the first two years of his administration.

EXECUTIVE DIRECTOR'S REPORT

Director Jamero reported that SCAAP had met and announced the selection of a Principal Investigator for its study of the progress of African Americans in San Francisco over the past 25 years. The firm of Psychological and Human Resources Consultants had been chosen to direct the project's research. He commented that the meeting had been very useful, insightful, and productive and a very positive way to begin the Committee's important work.

He reported that there was a legal challenge to Article 33 (governing discrimination based on sexual orientation) and Article 38 (governing discrimination based on AIDS/ARC) of the Municipal Code which HRC enforces. The challenge, by Western Union, contends that these local laws are preempted by State law. He noted staff were monitoring developments, including a hearing that morning in the Superior Court.

He reported that he had represented Mayor Agnos at a meeting and press conference of the Mayor's Complete Count Committee with the Director of the U.S. Census Bureau. He noted that the City presented compelling arguments to express its concern regarding accurate counting of minority groups in San Francisco. He also expressed his disappointment that the Committee had received very little positive response from the Bureau Director regarding their concerns.

Director Jamero announced that HRC's first Secretary to the Commission and Director had been hired, effective March 5, 1990. She is Mercedita Rabel, formerly Office Manager and Administrative Assistant with the North of Market Planning Coalition. He also reported that Jerry Davis of the U.S. Department of Labor staff in Washington, D.C. had joined the HRC's staff for up to two years through the Intergovernmental Personnel Act program. He will work on consolidating the various laws which directly relate to the HRC.

Director Jamero reported that staff would soon submit a report on the progress of the Minority/Women/Local Business Ordinance (MBE/WBE/LBE Ordinance II). He noted that despite a temporary departure from original plans for the report, which depended on getting data from the HRC's new computerized data collection system not yet on line, the report would contain the best information possible, with an analysis and recommendations. He noted that it would also contain suggestions for changes to the ordinance itself, as well as reports on waivers and certifications. The report will be submitted to the HRC's MBE/WBE/LBE Community Advisory Committee prior to its submission to the Commission.

He also reported that staff was preparing a supplemental appropriation request for the Commission's review in order to fund an availability data study to enable the MBE/WBE/LBE Ordinance II to continue to meet the test of the Croson v. The City of Richmond Supreme Court decision.

He reported on the upcoming ballot measure regarding a proposed Charter amendment to include HRC in the City Charter. He noted that there had been many meetings and drafts concerning the measure, and that the final draft would contain only one change from the version originally submitted to Commissioners, that the number of meetings for which Commissioners would be authorized to be paid had been reduced from four per month to two per month.

He reminded Commissioners that their Statements of Economic Interest were required to be submitted by April 2, 1990.

REMARKS FROM THE AUDIENCE

Marilyn Thorn, Coalition for Black and Disadvantaged Truckers' Rights, thanked the Commission for its patience, and noted that she would provide the information that she had promised at an earlier meeting as soon as possible. Commissioner Kai thanked her for the information she had provided so far, which appeared to be very valuable

SPECIAL ITEMS

A. Action on Request from the Mayor's Task Force on Family Policy

There was considerable discussion regarding the Commission's participation in the Task Force's public hearing on family policy, to be held on March 26, 1990, from 4:00 p.m. to 10:00 p.m. in the Department of Public Health auditorium, 101 Grove Street, Room 300. The Task Force, appointed by the Mayor in 1989, is composed of twenty-one members, including Commissioner Martin. Roberta Achtenberg, Chair of the Task Force, Ed Lee, staffperson in the Mayor's Office working with the Task Force, and Norm Nickens, Coordinator of the HRC's Lesbian/Gay/AIDS and Disability Unit, addressed the Commission and answered Commissioner and staff questions.

Several Commissioners and staff expressed their concern regarding the short timeline for the hearing preventing adequate outreach to the community, particularly minority communities, on this important issue. On behalf of the Task Force, Ms. Achtenberg noted that a plan to accommodate these concerns within the constraints of the Task Force's work had been developed. She asked Commissioners to work with the Task Force over the next month to help develop the Task Force's draft report, to co-sponsor the public hearing and sit on the hearing panel. She noted that due to time constraints, there would not be an opportunity for the Commission to come together as a deliberative body to review the report, also noting that while the Task Force would author the report, it hoped that the HRC would endorse it.

It was
*** m/s/c that the Commission approve participation in the public hearing planned by the Mayor's Task Force on Family Policy on March 26, 1990 as a co-sponsor.

Commissioner Kai asked interested Commissioners to contact Commissioners Graff or Martin and to work as a committee with the Task Force over the next month.

B. Action on Request from the Mayor's Office for Participation in a Public Hearing Re: The Mayor's HIV Task Force Report

Mr. Nickens related that he understood that this report had been sent to Commissioners. He noted that the Task Force had been established in Summer 1989, and consisted of representatives of the City and private businesses in San Francisco. It has been examining how San Francisco as a whole has responded to the AIDS/HIV epidemic. He noted that the Mayor's Office would hold an inter-commission hearing to review the Task Force's recommendations, and that HRC had been asked to send one representative to the hearing. Other participating commissions include the Social Services, Health, and Police Commissions. The hearing was scheduled for March 7, 1990.

Commissioner Lenore Chinn volunteered to represent the Commission on the hearing panel.

STANDING COMMITTEES

SOCIAL ISSUES AND POLICE LIAISON

Commissioner Sammon reported that as follow-up to the HRC's public hearings on public demonstrations and police conduct in mid-1989, the HRC developed a report and over twenty-two recommendations in November 1989. HRC met with the Mayor's Office on November 22, 1989, at which time it was agreed that HRC would transmit its recommendations to the Police Department for its response, and begin discussions of the recommendations. However, no response has been received. The HRC met with Deputy Mayor Claude Everhart in early February 1990.

Police Commissioner Louis Giraudo subsequently contacted HRC, noting that the Police Commission had not understood that HRC had expected a response in writing. He also noted that the Police Department had developed a draft of a crowd control manual, taking into consideration HRC's recommendations. The draft manual has been submitted to the Mayor, who appointed a committee to review it and return it to the Police Commission with their recommendations. Commissioner Sammon noted that the Mayor's Office had contacted him to ask him to serve on the Committee.

Adoption of Interim Rules for the City of Refuge Ordinance, Chapter 12H of the San Francisco Administrative Code

Commissioner Sammon then asked Donald Hesse, Coordinator of the HRC's Dispute Resolution Unit, to report on a second draft of proposed Rules of Procedure for the City of Refuge Ordinance submitted to Commissioners. Commissioner Sammon thanked Robert Rubin of the Lawyer's Committee on Urban Affairs, for his help in developing the rules, as well as Mr. Hesse for his considerable work on the document. He noted that HRC's duties under the ordinance called for it to respond to complaints related to the ordinance, not to monitor City departments.

Mr. Hesse reviewed the rules with Commissioners, noting one minor change from the first draft submitted to Commissioners by Commissioner Sammon at the previous Commission meeting. He explained that those who wished to complain under the ordinance could file a complaint with HRC either in writing or verbally to HRC staff, who would then summarize the complaint in writing. He also noted that guidelines for receipt of complaints would be as broad as possible, to encourage people to come forward. He noted that HRC was also authorized by the ordinance to make inquiries of departments as to their compliance with the ordinance when there was a question regarding their compliance or a complaint.

He also noted a "Catch 22" in the ordinance, which prohibited City departments from disseminating information on individuals' immigration status, and thus affected records of complaints under the ordinance HRC receives. Upon HRC's request, the City Attorney's Office had held on this point that all information related to a complaint under the information received by HRC that might pertain to an individual's immigration status must be maintained in a confidential manner with very restricted access. This also poses some difficulties for HRC to investigate complaints. For instance, in cases where complainants could not be identified, it would be difficult for a City department to respond to HRC's investigation. This increases the importance of insuring that City departments give adequate information about the ordinance to their employees.

He noted that an annual report on the ordinance would be made to the Commission for its review and transmission to the Mayor.

It was
*** m/s/c to adopt the Rules of Procedure for the City of Refuge Ordinance (Chapter 12H of the San Francisco Administrative Code), as presented.

COMMITTEE OF THE WHOLE

Before addressing the Committee of the Whole's business, in recognition that there were no regular Standing Committee reports calendared due to this special business, Commissioner Kai asked if there were any pressing Committee news which needed to be communicated. She noted that with no objections, the remainder of the Committee of the Whole's business would be taken up after CALENDAR MATTERS.

Commissioner Martin reported on the previous day's meeting of SCAAP and the hiring of SCAAP's Principal Investigator, Psychological and Human Resources, Inc. Deputy Director Adelbert Campbell detailed the firm's background. Commissioner Martin reported that the cost of the SCAAP project would be $141,760, to be borne equally by the City, State and private sources, $5,000 of which would be paid from HRC's FY 1989-90 budget. Commissioner Kai noted that an all-day workshop with the Principal Investigator firm would be held on March 24, 1990.

Commissioner Martin explained that the project and the Committee had developed from discussions following HRC's 25th anniversary celebration. In brief, the project would be a status report on African American parity in San Francisco. Deputy Director Campbell noted that the Committee had established several subcommittees on: employment and entrepreneurship, education and youth, health and drugs, housing and social issues, protection services and the family, and political appointments and media relations.

NEW MATTERS

Commissioner Martin expressed his concern regarding recent developments related to HRC's implementation of the MBE/WBE/LBE Ordinance II at the Airport and related to Kevin Williams, Contract Compliance Officer on the HRC staff. Some discussion followed.

It was
*** m/s/c that the Commission examine and take action regarding recent allegations related to the HRC's implementation of the MBE/WBE/LBE Ordinance II at the Airport and related to staffmember Kevin Williams, Contract Compliance Officer.

Commissioner Kai asked Commissioners Martin, Chinn, and Jaber and Director Jamero to meet, investigate the matter, and report to the Commission.

CALENDAR MATTERS

The next two meetings of the Commission will be held on March 8 and March 22, 1990, in the Department of Public Health auditorium, 101 Grove Street, Room 300.

Standing Committees:

ADMINISTRATIVE	to be announced
EMPLOYMENT	Thursday, March 15, 1990, 9:00 A.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
HOUSING AND URBAN DEVELOPMENT	Thursday, March 7, 1990, 12:00 Noon HRC Office, 1095 Market Street, Room 509
LESBIAN/GAY ADVISORY	Tuesday, March 20, 1990, 5:30 P.M. Veterans' Building, 401 Van Ness Avenue, Room 110B
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	to be announced
SOCIAL ISSUES/POLICE LIAISON	to be announced
YOUTH AND EDUCATION	Thursday, March 15, 1990, 3:30 P.M. Commission on Aging conference room, 25 Van Ness Avenue
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	Saturday, March 24, 1990, 9:00 A.M. location to be announced

The Commission recessed from 10:45 a.m. to 11:06 a.m.

COMMITTEE OF THE WHOLE (cont.)

Commissioner Kai asked Director Jamero to begin discussion of the several items before the Committee. He noted that it was especially important from the staff point of view to focus discussion and to address the Commission Goals, Objectives and Priorities items.

A. Discussion, Leading to Adoption of HRC Mission Statement

There was considerable discussion among Commissioners and staff regarding several drafts of the mission statement submitted to commissioners.

It was
*** m/s/c to adopt the following as the Commission's Mission Statement:

"The Human Rights Commission is the preeminent San Francisco agency providing leadership and advocacy to secure, protect, and promote human rights for all people."

B. Discussion, Leading to Adoption of HRC Goals and Fiscal Year 1990-91 Objectives

This item was continued.

C. Discussion, Leading to Adoption of HRC Priorities

This item was continued.

D. Discussion, Leading to Adoption of the Restructuring of HRC Standing Committees

Commissioner Kai called attention to a memorandum from Director Jamero to Commissioners regarding this matter, and led discussion. After considerable discussion, Director Jamero offered and it was agreed that staff would draft an agenda for the next Commission meeting incorporating Commissioners' suggestions during the discussion, focusing on relating HRC Committees, program Units, and reports on the agenda. Commissioner Kai noted that the Committee of the Whole would continue at the next meeting as at this one, in order to finish its business.

E. Discussion, Leading to Revision of Commission Agenda Format

Commissioner Kai called attention to a memorandum from Director Jamero to Commissioners outlining proposed revisions. Some discussion followed.

It was
*** m/s/c to revise Commission meeting agendas to:

-- delete recitation of the PLEDGE OF ALLEGIANCE, as it is not required by the City Charter, regulations, or City Attorney's opinion;

-- calendar REMARKS FROM THE AUDIENCE immediately following COMMUNICATIONS; note on agendas that public comment on each agenda item may be heard at the discretion of the Chair, as consistent with the HRC's operating rules;

-- include in REPORT OF THE CHAIRPERSON a report from the Administrative, Executive Committee, or Committee of the Whole, as applicable, as well as her/his report;

-- include in the EXECUTIVE DIRECTOR'S REPORT reports of the Administrative Unit and the Friends of the HRC, as well as her/his report;

-- calendar PROGRAM UNIT REPORTS for each meeting, with reports from Standing Committees staffed by the given Unit and Unit Reports given by each Unit supervisor or her/his designee;

-- focus, at each meeting on a rotating basis, on each Unit, with an extended discussion of Unit goals, status of meeting objectives, timelines, tasks, staff responsibilities and any problems encountered, with all Unit staff participating.

F. Strategizing for Ballot Measure Establishing HRC as a Charter Commission

This item was continued.

ADJOURNMENT

There being no further business to conduct, Commissioner Kai adjourned the meeting at 12:20 p.m.

Respectfully submitted,

Peter M. Jamero, Executive Director
by
Jacquie Hale, Coordinator

PMJ:JH:jh&
[MINUTES FEB 22]JHHRC2

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

SF
180
1
2/22/90

REGULAR COMMISSION MEETING

Thursday, February 22, 1990
Department of Public Health
101 Grove Street
Auditorium, Room 300
San Francisco, CA 94102
TIME: 9:00 A.M.

DOCUMENTS DEPT.
FEB 20 1990
SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

1. Roll Call
2. Approval of the Minutes of the Meeting of Thursday, February 8, 1990 and of the Committee of the Whole of Tuesday, January 23, 1990
3. Communications
4. Report of the Chairperson
5. Executive Director's Report
6. Remarks from the Audience
7. Special Items:
   A. Action on Request from the Mayor's Task Force on Family Policy
   B. Action on Request from the Mayor's Office for participation in a public hearing re: the Mayor's HIV Task Force Report
8. Standing Committees:
   SOCIAL ISSUES/POLICE LIAISON: Commissioner Father Peter J. Sammon
   Chairperson

   A. Adoption of Interim rules for the City of Refuge Ordinance, Chapter 12H of the SF Administrative Code
9. Committee of the Whole
   A. Discussion, leading to adoption of HRC Mission Statement
   B. Discussion, leading to adoption of HRC Goals and FY90-91 Objectives
   C. Discussion, leading to adoption of HRC Priorities
   D. Discussion, leading to adoption of the restructuring of HRC standing committees
   E. Discussion, leading to revision of Commission agenda format
   F. Strategizing for Ballot Measure establishing HRC as a Charter Commission
10. New Matters
11. Calendar Matters
12. Adournment

GPR:se
(72)Doc

HUMAN RIGHTS COMMISSION

February 22, 1990

The Minutes of this meeting are missing.

City and County of San Francisco — **Human Rights Commission**

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

DOCUMENTS DEPT.

MAR 1 ; 1990

SAN FRANCISCO
PUBLIC LIBRARY

REGULAR COMMISSION MEETING

Thursday, March 8, 1990
Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102
TIME: 9:00 A.M.

REVISED AGENDA

1. Roll Call
2. Approval of the Minutes of February 8 and February 22 and of the Committee of the Whole of January 23, 1990
3. Communications
4. Report of the Chairperson
5. Executive Director's Report
6. Remarks from the Audience*
7. Special Item:
   Coalition for Economic Equity Presentation
   Eva Paterson, Counsel
   Jim Jefferson, S.F. Black Chamber of Commerce
   Harold Yee, Asian, Inc.
8. MBE/WBE Systems and Development
   A. MBE/WBE/LBE Advisory Committee Report: Com. May Jaber, Chair
   B. M/WBE Monitoring II Annual Report: Adelbert Campbell, Deputy Director
   C. M/WBE Monitoring and Employment:
      Frank Anderson, Senior Contract Compliance Officer
   D. Indepth Unit report:
      Vicky Zimpel, Senior Contract Compliance Officer
9. Committee of the Whole
   A. Adoption of HRC Goals and FY90-91 Objectives
   B. Adoption of HRC Priorities
   C. Adoption of the restructuring of HRC standing committees
   D. Ballot measure establishing HRC as a Charter Commission
10. Special Projects Report: Adelbert Campbell, Deputy Director
11. Lesbian/Gay/AIDS/Disability
    A. Lesbian/Gay Advisory Committee Report: Com. Leonard Graff
    B. Brief Unit report: Norm Nickens, Coordinator
12. Dispute Resolution
    A. Social Issues/Police Liaison Committee report: Com. Peter L. Sammon
    B. Brief Unit Report: Don Hesse, Coordinator
13. New Matters
14. Calendar Matters
15. Adjournment

*Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioners' discussion of agenda items.

GPR:se
(72)Doc
3-7-90

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

SF
H80
#2
3/8/90

DOCUMENTS DEPT.
APR 3 1990
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET ST., ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901

Minutes of the Meeting of Thursday, March 8, 1990

NEXT MEETING

DATE: Thursday, March 22, 1990
TIME: 9:00 A.M.
PLACE: Department of Public Health
101 Grove St., Auditorium, Rm. 300

The meeting was called to order at 9:20 A.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Leonard Graf, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence Martin, Isadore Pivnick

Excused: Peter J. Sammon

HRC Stafff

Peter M. Jamero, Executive Director, Adelbert Campbell, Deputy Director, Frank Anderson, Larry Brinkin, Linda Chin, Bayard Fong, Jacquie Hale, Don Hesse, Zula Jones, Nathaniel Mason, Norm Nickens, Richard Norton, Clemente Obregon, Bernadette Perez, Mercedita Rabel, Gail Roberts, Panetta Scott, Carmen Smith, Mary Gin Starkweather, Pansy Waller, Kevin Williams, Gary Wong, Vicky Zimpel

Guests

Tom Henry, Carl Williams, Kyle Franklin, Felicia Smith, Laverda Allen, Yogi Patel, Caesar A. Churchwell, Marilyn Thorn, Herman Thorn Jr., Michael Jones, Kevin Lawson, Harold Yee, Virgilio Talao, Raj Sahai, Caterina Harris, Sharon Treskunoff, Anne Cervantes, Patrick Mora, Maritza Delgadillo, Marion del Ocampo, Eva Paterson, Clarence Hunt, Harry Overstreet, Keith Jenkins, Gerald Johnson, George Kindo, Judith Klain, Laroy McDonald, Schatze Jefferson, Manuel Rosales, Spencer Thomas, Eddy Lau, K.G. Orson, Michael Willis

APPROVAL OF MINUTES

The minutes of February 8, February 22, and of the Committee of the Whole of January 23, 1990 were not available for approval.

COMMUNICATIONS

Commissioner Kai noted the communications memorandum and circulated the file.

To Peter Jamero from Norman Nickens, a memorandum dated February 7, 1990, describing a serious challenge to the validity of Article 33 brought by Western Union, which, if sustained, would cut off access to the private bar. This challenge would also affect Article 38.

To Pansy Waller from Irwin B. Schwartz of Skadden, Arps, Slate, Meagher & Flom, a letter received February 12, 1990, thanking her for providing the material concerning city bonding.

To All Members and Volunteers, Mayor's Task Force on Family Policy from Edwin Lee of the Mayor's Office, a memorandum received February 14, 1990, transmitting the change in public hearing and future meeting schedule and noting that the public hearing has been rescheduled for Monday, March 26, 1990.

To All City Departments from M.H. Geistlinger, Director of Purchasing, a memorandum received February 15, 1990, describing and transmitting the new edition of South Africa Divestment Ordinance Declaration which impacts on bids or proposals due or contracts signed on or after April 1, 1990.

To Commissioner Gillette from Eunice Elton, a member of the Employment Committee, a memorandum received February 20, 1990, indicating that the Youth Services Office of the Employment Development Department plans to hold workshops beginning in late March to help youth apply for jobs properly, a recommendation from the "San Francisco is Cool" public hearing.

To Karen Kai, Human Rights Commission, from Lucy Kishiue, President, San Francisco Chapter Japanese American Citizens League, letter received February 21, 1990, expressing their elated congratulation on her recent appointment as Chairwoman of the San Francisco Human Rights Commission and appreciation for her invaluable assistance with JACL San Francisco Chapter's California Textbook Revision Project.

To Gail P. Roberts, Coordinator, from Mary Beth Love, Director, Center for Health Promotion, a letter dated February 21, 1990, inviting her to be a working participant at a planning conference set for April 4th and 5th.

To David Gilmore, Executive Director, San Francisco Housing Authority, from Peter M. Jamero, Executive Director, a letter dated February 21, 1990, offering the assistance of HRC staff who have broad expertise and experience with affirmative action and contract compliance programs for construction projects to the Housing Authority on an as-needed coordinated basis.

To Louis Turpen, Director of Airports, San Francisco International Airport, from Peter M. Jamero, Executive Director, a letter dated February 21, 1990, specifying the assignment of HRC staff to affirmative action monitoring on behalf of the Airports Commmission: Pansy Ponzio Waller as HRC Liaison, Kevin Williams who is assisting with the transition process, and Linell Harden who is monitoring concessions and leases.

To Brad Paul, Deputy Mayor, Officer of Housing and Neighborhoods, from Peter M. Jamero, Executive Director, a letter dated February 21, 1990, specifying that Gary Wong is monitoring construction contracts awarded through their Office.

To Larry Del Carlo, Executive Director, Office of Community Development, from Peter M. Jamero, Executive Director, a letter dated February 21, 1990, specifying that Gary Wong is monitoring construction contracts awarded through OCD.

To Michael P. Huerta, Director, Port of San Francisco, from Peter M. Jamero, Executive Director, a letter dated February 21, 1990 specifying the assignment of HRC staff to affirmative action monitoring activities on behalf of the Port Commission: Zula Jones as liaison and Linell Harden to monitor concessions and leases.

To Richard T. Cockburn, Executive Director, Clean Water Program, from Peter M. Jamero, Executive Director, a letter dated February 22, 1990, specifying that Veronica Ng is monitoring Clean Water construction and architectural and engineering contracts.

To David Werdegar, M.D., Director of Health, Department of Public Health, from Peter M. Jamero, Executive Director, a letter dated February 22, 1990 specifying that Nathaniel Mason is monitoring DPH's professional services contracts.

To Richard Evans, Director, Department of Public Works, a letter dated February 22, 1990 specifying the assignment of HRC staff to affirmative action monitoring activities on behalf of DPW: May Gin Starkweather as Liaison and Linda Chin, Veronica Ng, and Mary Gin Starkweather to monitor DPW construction and architectural and engineering contracts.

To Rita Semal, Jewish Community Relations Council, from Peter M. Jamero, Executive Director, a letter dated February 26, 1990, expressing deep regret that family commitments necessitated his withdrawing from the San Francisco Bay Area contingent of the study mission to Israel leaving Sunday, March 11, 1990.

To Claude Everhart, Deputy Mayor, from Peter M. Jamero, Executive Director, a memorandum dated February 27, 1990, stating that Jerome J. Davis, an employee of the U.S. Department of Labor, is working with HRC under the auspices of the Intergovernmental Personnel Act. Mr. Davis will be assisting the Mayor's Family Policy Task Force in drafting its final report through April 15, 1990. Subsequently, he will be working at the HRC on the responsibilities outlined in the Assignment Agreement.

A copy of a letter to Peter M. Jamero, Executive Director, a letter from John L. Taylor, Clerk of the Board of Supervisors, to Samuel P. Yockey, Controller, a letter received February 28, 1990, requesting, on behalf of the Oversight Committee, that the Controller's Office perform an audit of contracting practices and procedures at the Airport including an investigation of the handling of the award of Airport Contract No. 1952, identification of Federal Aviation Administration-funded contracts at the Aiport, and an investigation of procedures regarding award of emergency contracts.

To Roberta Achtenberg, Esq., Chair, Mayor's Family Policy Task Force, from Commissioner Karen N. Kai, Esq., Chair, a letter dated March 2, 1990, relating that HRC had voted to participate as a co-sponsor in its public hearing. Commissioners Leonard Graff and Lawrence B. Martin anticipate being active participants.

From Mayor Art Agnos, to Commissioners, a letter received March 7, 1990, announcing a March 31 workshop offered by Professional Registered Parliamentarians Marilyn Borovoy and Evelyn Wilson on using parliamentary procedure to facilitate group meetings.

A copy of a flyer announcing a Silent Vigil in honor of International Women's Month and Israeli and Palestinian Women working for peace in the Middle East to be held from 12:30 PM to 1:30 PM on March 16.

Waivers No waivers have been granted subsequent to the report to the February 22, 1990 HRC meeting.

Newspaper Clippings

- "S.F. Human Rights Law Challenged by Discrimination Suit Defendant", an article by Howard Mintz, in the February 6, 1990

issue of the Recorder, describing the challenge to Article 33 by Western Union.

- "S.F. Airport Accused by Minority Firm", an article by Jim Doyle, in the March 7, 1990 issue of the San Francisco Chronicle, stating that Albert Electric has filed an administrtive claim alleging that airport managers prevented it from performing its $1.2 million sub-contract on the runway project.

CHAIR'S REPORT

Commissioner Kai reported that end of last week, she co-chaired a forum for the Asian American Community on the Census and how it affects the Asian Americans. It was sponsored by the National Coalition for an Accurate Count for the Census. Other activities she participated in would be covered in other reports.

DIRECTOR'S REPORT

On behalf of the the HRC staff, Director Jamero congratulated Commissioner Lucile Lockhart for receiving an award for outstanding community service from the First Unitarian Church. There would be a joint planning session between HRC and the Coalition of Civil Rights on March 29, Thursday. There will also be a joint Commissioner/Staff Workshop session April.

Director Jamero thanked Commissioner Kai and the HRC staff for a surprise party given on the occasion of his first anniversary at HRC. This event led him to reflect on what the HRC had done in the past year. He said he was not very pleased and felt we could do more especially regarding the MBE/WBE program. He said we have put too much attention on what the Croson Supreme Court decision did, the need of having numbers, systems and document in place. We have also put too much attention in the letter of the new ordinance and have ignored its intent and spirit. What we have not done is advocacy and HRC needs to exercise leadership in advocacy needed in the City.

We would have to get back to basics. In the same way we agreed to have a strong program on employment and housing accomodation, we should give immediate attention to the MBE/WBE program. He noted that Mayor Agnos in his statement before the election and his follow-up reports expressed his strong commitment to the program. Director Jamero explained his plan for action to effectively implement the program:

* Within 10 days, in a department heads meeting with the Mayor, he will remind departments of the administration's strong commitment to the program to maximize participation by minority and women and our intent to vigorously push for maximum efforts for minority and women participation in contracting.

* Require the departments to submit an action plan as part of their budget review as to what they plan do to maximize minority and women contracting in their departments.

* Work closely and regularly with the community; plan to continue dialogue with the Coalition for Economic Equity, the Coalition of Black Truckers, and others who are dependent on the program for their livelihood.

Director Jamero reported he would instruct the staff to immediately develop two things: a) further details and guidelines for departments b) measures regarding individual department performance for the past year so we have basis for what they have done. He said the Commission and the staff will take an aggressive approach with this program. The HRC must take the lead in advocacy, departments must be held accountable , continued community involvement is needed,and appropriate attention must be put on the spirit and intent of the law.

GENERAL REMARKS

Commissioner Lockhart remarked that she was impressed that Director Jamero had chosen his first anniversary to say what he had said. She pledged her support for his plans. Commissioner Kai noted that the comment was well put and was glad Commisioner Lockhart made the comment.

SPECIAL ITEM: COALITION FOR ECONOMIC EQUITY PRESENTATION

Manuel Rosales, Hispanic Chamber of Commerce - Mr. Rosales reported that he came from a business background wherein the bottom line was making profits. He was pleased with Director Jamero's plan of action but he was also disappointed that in the past year there were really no measurable results, no jobs or contracts. He and the rest of the organizations are open for discussion.

James Jefferson, S. F. Black Chamber of Commerce - Mr. Jefferson reported that despite the passage of the MBE Ordinance, up to this point, minorities and women are still almost excluded in doing business with the prime businesses of the City. It was due to the failure of the Commission to implement the Ordinance. He then proceeded to enumerate the specific provisions of the Ordinance that had not been properly implemented. He blamed the failure largely to the lack of leadership in the Commission, the lack of courage of the officials to impose their authority and the confusion as to their powers. He put the Commission and entire staff on notice that if the people would not get any action from the Commission, they would get it from the Court.

Harold Yee, Asian Inc. - Mr Yee urged the Commission to go beyond general directions now and get to the specifics as to why nothing has been done. It is mandatory for the Commission and Staff to review in details the definitions, the consequences ,and the data of availability of firms. He suggested that copies of 12D Ordinance, the technical report of John Grunstein, and Croson Supreme Court Decision be distributed to the members of the Commmision and staff for their own information. The Commission needs a management system which includes current issuance of information and gathering of data to be reported to the public. He urged the Commission to make a periodic review, evaluation and recommendations to the Board of Supervisors.

Eva Paterson, Counsel, Coalition of Economic Equity - Ms. Paterson reported that she felt frustrated that despite the passsage of Ordinance 12D , there is still disproportionate number of contracting in the City; people of color and women are not getting their share of the prime business contracts. 97% of the contracts still go to white men. She stressed the fact that it is important for the Commission and Staff to take their responsibilites seriously because they are partially responsible thru the implementation of the Ordinance for redistributing the wealth in the country.

Ms. Paterson noted that she believed waivers sare one way of keeping money out of minorities' pockets. She would like to know the criteria and procedures for granting waivers, what contracts are subject to waivers, and if a list of waivers sought and not granted is available. She would like to be able to work with the Commission in dealing with these waivers. She also asked if the Commission had been pushing the budget request for availabililty study to the City. She also commented that it was not wise for Director Jamero to rotate staff. The Commission needs specialists. She did not like the idea of staff members like Kevin Williams being harrassed for doing his job, for holding the Airport accountable to Affirmative Action. She would like the City Attorney's

office to work with them and expressed the need for the creation of a coordinating committee with a representative from Ed Lee's office, the Coalition and the MBE/WBE committee.

Commissioner Kai thanked the speakers and said she was glad that organizations like the Coalition for Economic Equity are willing to work with the Commission. The Commission is aware of a lot of problems, is faced with difficulty of deciding what their powers really are, but is pushing and getting more aggressive, getting more confident, and getting more things accomplished.

Director Jamero said the comments from the speakers were useful and their suggestions were good.

Commissioner Martin expressed his personal displeasure for the lack of action. He noted that a Commission retreat was held where all the issues were discussed, and hoped that something positive would come out of it.

Commissioner Chinn echoed the sentiment expressed by Commissioner Martin. She noted that the Coalition and the Commission have a long history of working relationship and would like that to continue. The demands should not be dismissed and the public should be provided with data.

REMARKS FROM THE AUDIENCE

The following spoke before the Commission: Michael Jones, Samuel Norman, Laverda Allen, Kevin Lawson, Herman Thorn,Jr., Marilyn Thorn, Gerald Johnson, Virgilio Talao, Harry Overstreet, Pete Jenkins, Clarance Hunt, and Spenser Thomas. In summary their comments/demands are as follows:

* Reinstatement of Kevin Williams at the Airport.

* Dissatisfaction with the Commission's failure to implement the Ordinance.

* Exclusion of people of color and women for prime contracting with the City.

* Feeling that the HRC is controlled by the SF Airport Commission.

* Need for a more aggressive leadership in the Commission.

* Clarence Hunt will file a lawsuit against the City in 30 days but is willing to talk with a representative from the Commission for a possible settlement.

Commissioner Jaber echoed Commissioner Martin's and Commissioner's Chinn's frustration. She said the Commission needs to do its job. She was concerned that there was no report yet. She supports the staff because she knows all work very hard. The Commission is committed to work with the organizations.

Commissioner Gillette suggested that there be an Executive Session after the break. A discussion followed.

It was
*** M/S/C to have an executive session when the Commission reconvenes after the break .

EXECUTIVE SESSION

The Commission met in executive session from 11:20 A.M. to 12:35 P.M.

CALENDAR MATTERS

The next meeting of the Commission will be held on March 22, 1990.

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, March 15, 1990 9:00 A.M. Veteran's Building 401 Van Ness, Room 110-B
HOUSING & URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, March 20,1990 5:30 P.M. Veterans' Building 401 Van Ness, Room 110-B
MINORITY/WOMEN/ LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	To be announced
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	To be announced
SOCIAL ISSUES/ POLICE LIAISON	To be announced
YOUTH & EDUCATION	Thursday, March 15, 1990 Commission on Aging Conference Room 25 Van Ness Avenue

EXECUTIVE SESSION

The Commission met in executive session from 11:20 A.M. to 12:35 P.M.

ADJOURNMENT

Commissioner Kai adjourned the executive session and the meeting at 12:35 P.M.

Respectfully Submitted,

Peter M. Jamero, Executive Director
by
Mercedita Rabel
Commission Secretary

PMJ: mr
minutes 3/8/90

ity and County of San Francisco — **Human Rights Commission**

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

F
80
1
2/90

REGULAR COMMISSION MEETING

Thursday, March 22, 1990
Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102
TIME: 9:00 A.M.

DOCUMENTS DEPT.
MAR 2 0 1990
SAN FRANCISCO
PUBLIC LIBRARY

REVISED AGENDA

1. Roll Call
2. Approval of the Minutes of February 8, February 22, and March 8 and of Committee of the Whole of January 23, 1990
3. Communications
4. Report of the Chairperson
5. Executive Director's Report
6. Remarks from the Audience*
7. MBE/WBE Systems and Development
   A. MBE/WBE/LBE Advisory Committee Report: Com. May Jaber, Chair
   B. Indepth Unit report: Vicky Zimpel
   C. M/WBE Monitoring and Employment Unit Report: Frank Anderson
   D. Suppport for Supplemental Appropriation for Availability Study
8. Committee of the Whole
   A. Adoption of HRC Goals and FY90-91 Objectives
   B. Adoption of HRC Priorities
   C. Adoption of the restructuring of HRC standing committees
   D. Ballot measure establishing HRC as a Charter Commission
9. Special Projects Report: Adelbert Campbell, Deputy Director
10. Lesbian/Gay/AIDS/Disability
    A. Lesbian/Gay Advisory Committee Report: Com. Leonard Graff, Chair
    B. Unit report: Norm Nickens, Coordinator
11. Dispute Resolution
    A. Social Issues/Police Liaison Committee report: Com. Peter L. Sammon, Chair
    B. Youth and Education Committee report: Com. Isadore Pivnick, Chair
       - Endorsement of a Statement to the Curriculum Committee of the Board of Education

C. Unit Report: Don Hesse

12. New Matters
13. Calendar Matters
14. Adjournment

*Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioners' discussion of agenda items.

GPR:se
(72)Doc
3-16-90

SF
H80
1 2
3/22/90

DOCUMENTS DEPT.
APR 26 1990
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET ST., ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Meeting of Thursday, March 22, 1990

NEXT MEETING

Date: Thursday, April 12, 1990
Time: 9:00 A.M.
Place: Department of Public Health
101 Grove St., Auditorium, Rm. 300

The meeting was called to order at 9:10 by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie, Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Isadore Pivnick, Peter J. Sammon.

Excused: Lawrence Martin

HRC Staff

Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Paul De rosa (Intern), Bayard Fong, Ismael Denegate (intern), Jacquie Hale, Don Hesse, Eric Mar (Intern), Norm Nickens, Mercedita Rabel, Gail Roberts, Carmen Smith, Pansy Waller, Vicky Zimpel.

Guests

Mara Rosales, Deputy City Attorney, Marilyn Thorn, Ace Washington

APPROVAL OF MINUTES

Commissioner Pivnick noted that Page 7 of the minutes of March 8, 1990 should show the time of the Youth & Education committee meeting as 3:30 to 5:30 P.M. He would also like the time of the meeting of the same meeting shown in the February 22, 1990 minutes.

Commissioner Kai noted that the minutes of The Committee of the Whole were not yet available.

Commisioner Jaber reported she was a little disturbed that in the March 8, 1990 minutes the remarks from the audience were not fully reported. Also, her remarks should be stated as spoken and not have somebody's interpretation of what was said. She said she would like to see complete statements from all the members of the public who had addressed the Commission included in the minutes. Commisioner Kai said that because we did not get written statements we had to rely on staff summaries. However, if the Commissioners felt that the statements were not accurate, corrections can be made or trancriptions could be done.

Commissioner Chinn commented that the statements need not be very long. Because a lot of information was given and in fairness to the speakers, a synopsis for each speaker would be preferable to a consolidated version. Commissioner Jaber said she would like her her statements taken from the tape.

It was
*** M/S/C to approve the minutes of February 8, 1990, February 22, 1990, and March 8, 1990 with the corrections noted and with the provision that a transcript of the statements of Commissioner Jaber and the presentation of the Coalition for Economic Equity and the rest of the speakers be added to the minutes of March 8, 1990 to be approved in the next Commission meeting.

COMMUNICATIONS

The Communication Folder was circulated among the Commissioners.

To Chief of Police Frank Jordan from Peter M. Jamero, Human Rights Commission, a letter dated February 23, 1990 regarding police action against private clubs.

A Copy of a letter to Peter M. Jamero, Executive Director, a letter to Leo G. McCarthy, Civil Grand Jury, from John Taylor, Clerk of the Board, a letter dated February 28, 1990 about a request by Supervisors Hongisto, Nelder, and Kennedy for the Grand Jury to hold an investigation regarding the allegations contained in a written statement by Kevin Williams about HRC's and the Airport's non compliance with the MBE/WBE Ordinance with awarding of contracts at SF Airport.

To Lorne Michaels, NBC producer, from Commissioner Leonard Graff, a letter dated February 28, 1990 expressing concern about several incidents of homophobic language, attitude and behavior portrayed in "Saturday Night Live." More responsible programming was requested.

From Mayor Art Agnos to Commissioner Karen Kai, Human Rights Commission, a letter received March 6, 1990 about the two year update of "Getting Things Done" and the Mayor's commitment to achieve the goals he had set. He thanked all the Commissioners, old and new, for all their help.

To Myra Snyder, Deputy Mayor for Health and Human Services, from Commissisoner Kai, a letter dated March 2 stating the appointment of Commissioner Lenore Chinn as the HRC representative to attend the joint hearing on HIV-related issues.

From Carrie Lee Rothgeb, Deputy Director, Office of Scientific Information, to Commissioner Karen Kai, Human Rights Commission, a letter received March 2 responding for Dr. Sullivan about his statements on The Report of the Secretary's Task Force on Youth Suicide, and thanking Commissioner Kai for sharing her honest and sensitive opinions.

To Thomas M. O'Grady, O'Grady Paving, Inc. from Peter M. Jamero, HRC Director, a letter dated March 2 requesting Mr. O'Grady to provide HRC with information.

From Richard Evans, Director of Public Works to Peter Jamero, a letter dated March 9 which outlined examples of the Department of Public Works' compliance with "Good Faith Efforts" and its commitment to encourage MBE/WBE participation in department contracts.

To Human Rights Commission Staff from David Treanor, Office Systems Task Force, a memorandum on the "25 most asked questions and answers about 25 Van Ness." This "hot sheet" will be regularly updated.

Waivers No waivers have been granted subsequent to the report of the February 22, 1990 meeting.

Newspaper Clippings

"Swim Club Suspends a Swimmer" an article by Sharon McCormick, Chronicle East Bay Bureau, about Diddo Clark, a member of South End Rowing Club suspended from club events for a year after a dispute about club support for the gutsy race in the San Francisco Bay. Clark has filed claims of sexual harassment against the club with SF Rec and Park and the SF Human Rights Commission.

CHAIR'S REPORT

Commissioner Kai reported that the past two weeks had been quiet because she was on vacation. She was glad that things were under control. Thanks to Commissioner Pivnick and the rest of the Commissioners.

She made an announcement about the coming affair "Celebrate Diversity" and apologized to the Commissioners who might not have gotten their invitations. She passed out a copy of the invitation and hoped everybody would come to the affair. She would also be speaking at a Third World Counselors Association in Sacramento as Chair of the Commission. Next week, she will be a speaker at the Soroptimist Club.

DIRECTOR'S REPORT

- Director Jamero reported he attended a budget meeting at the Mayor's Office yesterday. The good news is that it is projected that the city would be in the black at $42 million. The bad side is that the cost to repair the devastating damage caused by the earthquake would be a problem for next year's budget. Also, because of the drought, the revenues from Hetch-Hetchy were down. The net result is there would be a $23 million deficit.

- Commissisoner Graff raised a question as to whether we could spend the $40,000 department surplus for immediate needs in terms of capital acquisition. If we are moving to 25 Van Ness, for example, we would have certain needs like furniture, equipment, etc.

- Jamero responded that there are no restrictions as regards spending the money.

- Commissioner Pivnick moved that the Director be instructed to analyze existing funds to determine where there may be left over funds with the idea that these funds would be used for items related to the move, with a provision that the Director will report back to the Commission. A discussion followed.

- Commisioner Lockhart asked if the process for getting approval to shift funds would be lengthy and if there is any assurance that the request would be approved. Jamero said it might be a lengthy process because the request has to be approved by both the Office of the Mayor and Board of Supervisors.

- Commissisoner Pivnick reported it is his belief that the Mayor is interested in having HRC moved to is new quarters. If there is evidence that the the dollars could not be spent between now and the end of the year in a prudent fashion, it would be wise to make purchases now.

It was
*** M/S/C that the Director be instructed to analyze existing funds to determine where there may be leftover funds with the idea that these funds would be used for items related to the move and that the Director report back to the Commission.

- In response to Commissioner Jaber's question regarding the last retreat, Jamero said that Linda Coleman, the facilitator, is still in the process of doing follow-up and will have a written report ready for the Commissioners.

- In a meeting with the Mayor and heads of the department last Monday, Jamero announced a plan urging department heads to make maximum efforts in contracting with minorities and women. In the presentation, he reminded them of their responsibilities under the law. The plan will include a review process to examine the extent to which each department plans this coming year to improve their performance. The guidelines are being written and will be out shortly to assist the departments in developing their plans.

- The MBE/WBE report will be ready for the Commission to consider on April 26th. There will be mail outs to the MBE/WBE Committe during the week of 4/9.

- The deadline for the submission of the Statement of Economic Interest for all the Commissioners is April 2nd.

- The move to 25 Van Ness is projected to be sometime in the second week of April.

GENERAL REMARKS FROM THE AUDIENCE

Mrs. Marilyn Thorn, responding to Commissioner Sammon's suggestion that each individual who spoke in the last meeting be requested to submit a written statement said it would be best if we would have transcripts because some may not remember all they said, "emotions were very high and most of them spoke from the heart."

THE AVAILABILITY STUDY

Deputy Attorney Mara Rosales was requested to give a background on why it is important for the Commissioners to support a request for supplemental appropriation for an availabilty study.

The estimated cost of the study would be from $50,000 - $100,000 which would include a) the subcontracting component, b) the prime contracting component, c) stenographer, transcriptions and other related costs. We have done more than any other city in the country, and have only spent $30,000 compared to the $200,000-$300,000 spent by other jurisdictions.

Assuming the Board of Supervisors and the Office of the Mayor support the study, the Commission has to decide another policy matter. We do not want to be flooded with requests of copies of the study from other jusrisdictions all over the Bay Area that would clearly benefit from it. One thought is to start a parallel path with some efforts by the Board of Supervisors, Office of the Mayor or the Commission, to contact other juridictions that would stand to benefit from this study and see if they are willing to participate financially. Some local jurisdictions, like the Redevelopment Agency, have already expressed interest in this approach.

Commissioner Graff again brought up the topic of current budgetary surplus. Perhaps the Commission may put up $5,000 to initiate the process and challenge other departments who may have surpluses to kick in a similar amount. With the Mayor's support, maybe we can raise the money quickly.

Commissioner Pivnick picked up on Commissioner Graff's idea and added that the Mayor can ask the various agencies that they take pro-rata share in the cost of the study. He moved that the Commission direct the Director to ask the Mayor that he request a stipulated amount of money from each agency serving the city and in addition that a leter bearing the Mayor's signature be sent to the Supervisor of Schools, Chancellor of the Community College district, and such other agencies that would benefit from this action.

Commissioner Gillette suggested that instead of asking for a specific amount of money, ask for a percentage of the agency's total budget Commissioner Pivnick said he was prepared to accept it as part of the initial motion.

It was
*** M/S/C that the Commission direct the Director to ask the Mayor that he request a percentage of the total budget from each agency serving the City, and in addition, that a letter bearing the signature of the Mayor be sent to Superintendent of Schools, Chancellor of Community College District and such other agencies that would benefit from the program.

Commissioner Pivnick then asked what would happen to the request for the supplemental appropriation. Director Jamero said we must push for the supplemental.

It was
*** M/S/C for the Commission to pursue the request for the supplemental budget appropriation for an availability study.

Commisioner Jaber asked if Deputy Attorney Rosales was aware of any release of funds to O'Grady and H & H Trucking. Deputy Attorney Rosales reported that the last time she had talked about the subject was when she was exploring the legal basis for the withholding of money. Director Jamero said that following the review of the information requested from O'Grady, there are still a number of issues to work on. Because further review is needed, we continue to hold some funds with respect to Contract # 1952.

A discussion ensued about why the funds are being withheld, how much and for how long. Deputy Director Campbell reported that the maximum amount withheld is 5% of the total amount of the contract which comes to almost $600,000. The investigation is still going on. Director Jamero requested Mr. Campbell to set a time line and a schedule of completion.

In response to questions regarding Airports Contract # 1952, Deputy Attorney Rosales suggested that if the Commissioners wanted more information, there is a need to go in closed session because it is a matter of a pending claim against the city.

It was
*** M/S/C to adjourn into executive session.

There was an Executive Session from 10:35 A.M. to 11:45 A.M.

Endorsement of the Statement to the Rules Committee of the Board of Education

Commissioner Pivnick reported that the Unified School District is also writing its Mission Statement and goals for the school year 89-90 They adopted a Mission Statement and one of the objectives is "Each of the following programs: Special Education, GATE, Advance Placement and Secondary Extra Curricular Activities will develop a plan to insure that these four different programs will have four different ethnic groups none of which should exceed 45%." While it is a good goal in a general sense,

it could, in fact, mitigate against yougsters who, because of the manner desegration is implemented, leave them victim to that 45%. He then cited an example of how this would be possible.

What the Youth and Education Committee likes to do is call to the Board of Education's attention that, although its intent is right, this should in no way mitigate against a youngster who applies for or is scheduled to be included in the activity so he can participate.

Commissioner Kai commented on the paragraph which states the basic philosophy of the District as stated in the Mission Statement. She is particularly concerned about the last two lines which state ".. neither shall the academically challenging college bound programs nor the Extra Curricular Programs be watered down to include less qualilfied students." She said the language concerns her very much because, in the past, that language has been used to exclude people especially the ethnic minorities, to water down or cut out Affirmative Action programs. She would like to be sure that we are not sanctioning the dillution or removal of Affirmative Action programs that are designed to create avenues for students whose background or other factors have led them not to be given advantages which lead them to such programs.

Commissiosner Pivnick agreed to end the paragraph with "...denied entry or access to such a program because of race, creed, color, etc." Commissioner Graff suggested to truncate "etc" and just inciude all the protected classes under the HRC ordinances.

It was
*** **M/S/C** to adopt the Statement to the Rules Committee of the Board of Education as modified.

REMARKS FROM THE AUDIENCE

Mr. Ace Washington reported about allegations regarding violations by San Francisco Housing Authority. Violations are still going on. In a Commission meeting Tuesday, there were allegations about the absence of monitoring of the Affirmative Action program in the Redevelopment Agency as well as in the Fillmore Center. Mr. Washington wanted to know if HRC has authority over SFHA or the Redevelopment Agency. He aiso complained about being banned from entering a building which he says contains public offices.

Don Hesse, Dispute Resolution Unit, responded. HRC does not have any authority over SFHA because it is a quasi-state agency like the Redevelopment Agency. If we know if money used at that time was city money, we could possibly have jurisdiction under 12B. We will send a letter to the Housing Authority asking if it was in fact city money and to what extent Commissioner Kai recommended to also look into the status of the Redevelopment Agency.

CALENDAR MATTERS

The next meeting on April 12th will be a joint Commission/Staff meeting. The next regular Commission meeting will be April 26th.

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, April 5, 1990 9:00 A.M. - 11:00 A.M Veteran's Building, Room 110B 401 Van Ness

HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	To be announced
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Thursday, April 19, 1990 5:00 P.M. - 7:00 P.M. EOC Bldg, Third Fl. 70 Tenth Street
SOCIAL ISSUES/ POLICE LIAISON	To be announced
YOUTH AND EDUCATION	Thursday, April 19, 1990 3:30 - 5:30 P.M. Veteran's Building, Room 110B 401 Van Ness
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	To be announced

ADJOURNMENT

Commissioner Kal adjourned the meeting at 12:15 P.M.

Respectfully Submitted,

Peter M. Jamero, Executive Director
by
Mercedita Rabel, Commission Secretary

PMJ:mr
minutes-3/22/90
min[5]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

SF
480
1
12/90

REGULAR COMMISSION MEETING

DATE: Thursday, April 12, 1990
TIME: 9:00 A.M. - 12:00 Noon
PLACE: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

A G E N D A

DOCUMENTS DEPT.
APR 6 1990
SAN FRANCISCO
PUBLIC LIBRARY

1. Roll Call
2. Communications
3. Report of the Chairperson
4. Executive Director's Report
5. Remarks from the Audience*
6. Endorsement of Family Policy Task Force Report - Action
7. Endorsement of Supplemental Appropriation for Availability Study - Action
8. Committee of the Whole
   A. Discussion, leading to adoption of HRC Goals and FY90-91 Objectives
   B. Discussion, leading to adoption of HRC Priorities
   C. Discussion, leading to adoption of the restructuring of HRC's standing committees
9. New Matters
10. Calendar Matters
11. Adjournment

* Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioner's discussion of agenda items.

hrc-agen-4/12
PMJ:mr

SF
H80
#2
4/26/90

DOCUMENTS DEPT.

MAY 15 199

SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Meeting of Thursday, April 12, 1990

NEXT MEETING

Date: Thursday, April 26, 1990
Time: 9:00 A.M.
Place: Department of Public Health
101 Grove Street, Auditorium, Room 300

The meeting was called to order at 9:15 A.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence B. Martin, Isadore Pivnick, Peter J. Sammon.

HRC Staff Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Jerry Davis, Paul De Rosa, Intern; Jacquie Hale, Don Hesse, Ed Ilumin, Shana Margolis, Intern; Nat Mason, Dick Norton, Mercedita Rabel, Gail Roberts, Panetta Scott, David Treanor.

Guests Roberta Achtenberg, Chair, Mayor's Task Force on Family Policy

COMMUNICATIONS

The Communication Folder was circulated among the Commissioners.

(Note: The memorandum on communications was distributed on the day of the meeting. Attachments will be included in the regular minutes mailing).

REPORT OF THE CHAIRPERSON

Commissioner Karen N. Kai reported that the Commission decided to change the scheduled April 12 date of the joint Commissioner/staff workshop because of the MBE/WBE report and the Airport Ad Hoc Committee Report. We will have the workshop on May 10 or May 24. She has written an information memorandum to all Commisioners and staff members.

EXECUTIVE DIRECTOR'S REPORT

- Commissioners Bermudez and Martin were reppointed to the Commission and will be sworn in together with the new Commissioner, Vivian Hallinan, Wednesday, April 18 at 4:00 P.M.

- The Commisioners and Staff have been sent a draft of the MBE/WBE report. The same report will be reviewed by the MBE/WBE Committee at its April 19 meeting with final recommendations to the full Commission at its April 26th meeting.

- The unexpended funds, upon further analysis, is in the vicinity of $10,000. David Treanor, responding to Commissioner Graff's questions, gave a further breakdown of the obligated and the projected expenses. The balance will be used as a contigency fund for unanticipated move-in-costs.

- Commissioner Graff expressed concern that we might not be able to spend the funds before the last day allowable to make the purchases which is June 30. He said we should have a contigency plan if we might not be able to move by June 30. Commissioner Martin commented that we should find a way to make sure that the money is spent and the Chair should get invoved to make sure that this happens. Director Jamero said we will have a back-up plan to be reported to the Commission to make sure the $10,000 will be spent. Commissioner Graff also wanted to know how much the "small amount" is to be used for the reclassification of four HRC staff.

- In the April 6th meeting with the Budget Office, two significant issues were identified: a) the amount and plan to come up with necessary funding for the SCAAP project and b) the appropriateness of the City to fund the proposed discrimination study. We were asked to have other alternatives, maximize other resources in the communities and get academic institutions more involved so there will be less cost for the City to implement the project.

- HRC is looking into the possibility of mediating in the complaint filed by the Black Coalition on AIDS against the Health Commission. Norm Nickens is the point person.

- On the desirability of holding meetings in the neighborhood, Mayor Agnos issued the same kind of message in a letter to all the departments. Staff has been instructed to explore the possibilities.

- Paul De Rosa has completed his year of internship with us and on behalf of the Commissioners and staff, Director Jamero acknowledged all the good work he has done. Shana Margolis was introduecd a new full-time intern from UC Santa Cruz. She will be working with the Lesbian/Gay Advisory Committee.

ENDORSEMENT OF THE FAMILY POLICY TASK FORCE REPORT

Commissioner Graff reported that he and Commissioner Martin had been working with the Mayor's Family Policy Task Force reviewing all policies concerning employment and provision of services having impact on the families. Roberta Achtenberg, Chair, thanked the Commission, the Director and the Staff for all their help througout the process. She invited comments, recommendations and hopefully an endorsement from the Commission.

Jerry Davis specified the main areas of concern in the report: a) concern raised by the Black community representatives regarding the action of Department of Social Services, especially out of county placement of children, b) Section 8 Housing, some parts of which are expiring and would be detrimental to low-income families, c) Health insurance issues, d) Oversight - what happens to the recommendations when the Task Force is dissolved, and e)Demographics - continuing to meet with the communities. Questions were raised and suggestions were given regarding health insurance benefits for extended families, dependent coverage, bereavement leave, inclusion of a chart showing how far behind SF is as regards addressing these needs.

Ms. Achtenberg said she saw no reason why some of these suggestions could not be included like the extension of the bereavement leave. The Commissioners congratulated the Task Force for coming up with a very fine report.

It was
*** **M/S/C** to endorse the Mayor's Family Policy Task Force Report.

SUPPLEMENTAL APPROPRIATION FOR THE AVAILABILITY STUDY

Deputy Director Campbell reported that this study is the original study prepared by Vicky Zimpel with some cosmetic changes. He said the report is better described as MBE/WBE Availability, Utilization and Disparity Study.

It includes five components: a) availability, b) utilization, c) anecdotal data, d) private sector, and e) program evaluation. The budget is estimated to be $210,000. The conservative $100/hr consultant fee is used and total cost includes an additional 20% surcharge of clerical and other logistical support such as hearings, transcriptions, printing, and mailing. Commissioner Kai pointed out that $100/hr fee for a consultant seemed unrealistic and should be at least the average fee of $170/hr. Commissioners Martin and Gillette agreed.

It was
*** **M/S/C** to approve the hourly figure of $170 for consultants and adding that HRC policy is to encourage contracting with minority and women businesses.

The Commission recessed from 10:45 A.M. to 11:07 A.M.

It was
*** **M/S/C** to adopt the supplemental budget request for the MBE/WBE availability study.

NEW MATTERS

There were no new matters to discuss.

CALENDAR MATTERS

The next regular Commission meeting will be on April 26th. The joint Commission/Staff workshop will be on May 24th.

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, May 3, 1990 9:00 A.M.-11:00 A.M. Veterans Building, 401 Van Ness, Room 110B
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	To be announced
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	To be announced
YOUTH AND EDUCATION	Thursday, May 17, 1990 3:30 P.M.-5:30 P.M. Place - to be announced
SELECT COMMITTEE ON AFRICAN AMERICAN PARITY	To be announced

COMMITEE OF THE WHOLE

A. HRC Goals and FY 90-91 Objectives

The Commission continued the discussion about the HRC Goals and FY 90-91 Objectives which is already in its fourth draft. Director Jamero reported that the document is an effort to make sure that the Commission has some clarity as to the kind of work plan it will have this coming fiscal year. It will help the Commissioners guide the staff in doing their work.

Commissioner Graff said he would like to make Item IV - Community Relations and Item IV.9 - to conduct a survey to ascertain the needs of the

community which will help us better shape our goals and objectives as top priorities. He specifically asked that the phrase "explore the feasibility ..." be taken out from V.9 and just be stated as "...to conduct survey.." Commissioner Lockhart suggested we must find a way to separate the goals and objectives of the staff and the Commissioners. Commissioner Bermudez agreed and added that would simplify the process and would eliminate a lot of repetitions. Commissioner Kai suggested that the document should be looked at as a descriptive work plan rather than specific goals and objectives. Commissioner Martin agreed that this really looked like a a good work plan. Besides, the ordinances already spell out the Commissioners' goals and responsibilities.

It was
*** **M/S/C** to adopt this document as the department work plan and be titled "HRC Goals and FY90-91 Ojectives Work Plan."

B. HRC Priorities

Recognizing the importance of involving the community in the work of the Commission and the need to improve the image of HRC, the Commmissioners then proceeded to list their priorities. The items were later consolidated under three general areas. They are:

1. Community Relations/Outreach
   a. Press releases
   b. Ongoing column in a neighborhood newspaper
   c. Commission participation in a Speakers Bureau
   d. Identification of HRC as a mediating body

2. Survey on Civil Rights Issues
   a. Consolidation, revision, and update of Human Rights laws

3. Carrying Out of Ongoing Efforts/Programs
   a. SCAAP
   b. Hate Violence Reduction
   c. Airport - systemic issues on enforcement
   d. Inmplementation of HRC recommendations on police deparment

It was
*** **M/S/C** to adopt the three items as the priority areas of the Commission.

C. Restructuring of HRC's Standing Committees

The basic proposal is to go with four standing committees: 1) Employment, 2) MBE/WBE, 3) L/GAC, and 4) Issues.

Commissioner Sammon commented that there is no point in having only four committees if it may not cut down the work and may mean more overlapping. We should explore this further before we adopt the four-committee structure.

Commisioner Kai suggested that a meeting should be set up involving the chairs of the committees that would be consolidated under the new structure. That meeting should be scheduled before the next committee meeting and it would be a definite goal to get this committe restructuring resolved.

ADJOURNMENT

The meeting was adjourned at 12:40 P.M.

Respectfully Submitted,

Peter M.Jamero
Executive Director
by:
Mercedita Rabel
Commission Secretary

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

MEMORANDUM

TO: Human Rights Commissioners April 9, 1990

FROM: Peter M. Jamero
Executive Director

RE: Correspondence Folder

From Gerald Lenoir, Executive Director, Black Coalition on AIDS to Peter Jamero, Executive Director, a letter received March 21, 1990 requesting an investigation of the alleged SF Health Commission discrimination against African American persons with AIDS/HIV disease.

To Honorable Art Agnos, Mayor, from Commissioner Leonard Graff, a letter dated March 21, 1990, RE:Free Trip to Newly Wed Couple, asking why the criteria do not allow participation by same gender couples, who are not allowed, under State law to marry.

To David Werdegar, Director, Dept. of Public Health, from Norm Nickens, a letter dated March 23, 1990 stating that he requested an opinion from the City Attorney's Office as to the jurisdiction of HRC on a complaint filed by the SF Black Coalition on AIDS against the Health Commission.

To Louise Renne, City Attorney, from Commissioner Isadore Pivnick, a letter dated March 26, 1990 commending Deputy Attorney Mara Rosales for the quality of her performance, professionalism and ability to concisely clarify issues (as exemplified in the March 22 HRC Commision meeting) without compromising the accuracy of the legal question.

A copy of a letter from City Attorney Louise Renne to Commissioner Isadore Pivnick received April 5, 1990 thanking him for the warm letter commending the work of Mara Rosales.

From Frank Jordan, Chief of Police, to Peter Jamero, Executive Director, received March 27, 1990 responding to Mr. Jamero's five questions regarding the Police enforcement of the ordinances regulating the private clubs.

From Marwan A. Harrara, Pres. Muslim Students Assoc., USF, to Peter Jamero, Exective Dirctor, a letter received March 26, 1990 asking the HRC to help intercede on the students' behalf regarding the USF's decision to discontinue the use of the space in the basement of St. Ignatius Church as site for the Muslim students' religious activites.

From Frederick B. Karl, Hillsborough County Attorney, to Mayor Art Agnos, Louise Renne and Peter Jamero, a letter received March 26, 1990 expressing interest in the new SF "post-Croson program" and their plan to send a delegation to San Francisco to study the program in late April.

From Gwen Moore, Majority Whip, to Peter Jamero, Executive Director, a letter received March 26, 1990 calling the Commission's attention to Bill 3353 which provides for several anti-hate crime projects to mobilize communities to assess and review tensions which lead to hate crimes. The bill is scheduled for a hearing before the Assembly Public Safety Committee on April 17.

From Mayor Art Agnos to all Commissioners, a letter received March 29, 1990, encouraging them to hold special meetings of commissions in location other than their regular meeting place as provided for in Ordinance No. 97-90-3 which amended the Administrative Code to permit such meetings. This is a part of the administration's goal to bring the City closer to the people it serves.

To David Gillmore, SFHA Executive Director, from Peter Jamero, Executive Director, a letter dated March 29, 1990 requesting information on the Plaza West Project to be able to respond to questions asked by a member of the public at the March 22 Commission meeting regarding its funding and Affirmative Action program.

From Anthony DeLucchi, Director of Property, to Peter Jamero, Executive Director, a letter received March 29, 1990 regarding the status of the HRC relocation to 25 Van Ness.

To Edward Helfeld, Director, SF Redevelopment Agency, from Peter Jamero, Executive Dirctor, a letter dated March 30, 1990 inquiring about the Fillmore Center Project's Affirmative Action agreement and the monitoring compliance to such agreements.

To Commissioner Karen N. Kai, Chair, from Agnes M. Driver, Pres., Soroptimist International of SF, a letter received April 2, 1990 thanking Commissioner Kai for speaking at their Awards Dinner.

To Rev. Christopher Cartwright, Director, USF Campus Ministry, from Peter Jamero, Executive Director, a letter dated April 3, 1990 expressing HRC's willingness to assist in resolving the issue of Muslim students' place of worship at the USF campus.

From Mayor Art Agnos to Commissioner Karen N. Kai, Chair, a letter received April 5, 1990 affirming the status of the City as a City of Refuge (Ordinance no. 375-89 which became Chapter 12.H of the Administrative Code) with HRC being charged with the enforcing of the ordinance's requirements.

To Anthony DeLucchi, Director, Real Estate Department from Peter M Jamero, Executive Director, a letter dated April 5, 1990, expressing frustration over the lack of reliable information specifying a move-in date to 25 Van Ness and requesting a written confirmation on a more definitive status of the move.

A Copy of a memorandum from Eva Paterson, Counsel, CEE, to the members of the Coalition for Economic Equity, received April 9, 1990 regarding the work she is doing in getting the Redevelopment Agency and other City agencies to pool their financial resources to pay for an availability study. The Mayor likes the idea of a coordinating committee composed of Ed Lee, Bert Campbell, Mara Rosales, and two or three members of the Coalition and a meeting should occur within the next week.

Newspaper Clippings

"Gay Rights Challenged as Unconstitutional," an article by Anne Stroock in the March 21 issue of the San Francisco Chronicle, about the challenge to the 12-year old Gay Rights Law as being uncontitutional by Western Union.

"Black Coalition on AIDS," an article published March 21 by the Sun Reporter, regarding the SF Black Coalition on AIDS protesting the City Health Commission's inaction in not holding a hearing about the KAB Report which reflects the status of AIDS in San Francisco African American Community.

"Black AIDS Group Calls for Health Dept. Probe," an article by Dennis Conkin published April 15 in the Bay Area Reporter stating that the Black Coalition on AIDS has requested the SF

Human Rights Commission to investigate on the alleged SF Health Commission discrimination against African Americans with HIV disease in San Francisco.

Waiver Requests

(Note: The MBE/WBE/LBE Ordinance II authorizes the HRC to grant requests for waivers of the Ordinance's provisions to city departments upon request. The following is a report of waivers applied for, denied, or granted during the period of March 1 to March 16, 1990. Please call the Commission office for more information on the Ordinance's provisions or waiver requests.)

Dept.	Contract	Contractor	Amount of Conctract	Granted/ Denied	Type of Waiver*	Date of Waiver
Port	Membership	Various	$ 39,985	Granted	Sole Source	03/20/90
Explanation:	only source for industry-specific professional association membership					
Port	Subscrip-tions	Various	$ 12,538	Granted	Sole Source	03/20/90
Explanation:	only source for industry-specific trade publications					
Port	Tariff Publication	Pacific Coast Tariff Bureau	$ 1,200	Granted	Sole Source	03/20/90
Explanation:	only source for specialized publication listing essential tariff information.					
Port	Scavenger Service	Sunset Scavenger	$ 114,300	Granted	Sole Source	03/20/90
Explanation:	only source for high-volume waste disposal					
Port	Truck Scales Maintenance	Colt Industries Fairbanks	$ 2,000	Granted	Sole Source	03/20/90
Explanation:	service contract on truck scales purchased from contractor; only source for this specialized service					

Port	Telephone Service	Pacific Bell and AT & T	$ 113,000	Granted	Sole Source	03/20/90

Explanation: only source for specialized telephone services

Port	Proprietory Parking Meters and Parts	POM (Park-O-Meter)	$ 9,500	Granted	Sole Source	03/20/90

Explanation: only source for specialized service and product

Port	Postage	U.S. Postal Service	$ 25,020	Granted	Sole Source	03/20/90

Explanation: only source for high volume specialized service

Port	Public Utilities-Electricity, Heat and Water	PG & E	$1,595,000	Granted	Sole Source	03/20/90

Explanation: only source for specialized service

*** KEY:**

sole source = needed goods or services available only from this contractor, who is not an MBE or WBE

emergenncy = necessary to respond to emergency; no time to apply bid preference (pursuant to S.F. Administrative Code Section 6.30)

LBE over $5 million = LBE in S.F. is unavailable, qualified business outside of S.F. is available or significant costs to the City if waiver is not granted

PMJ:mr
Commm-4/12
Apil 9, 1990

ity and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

SF
180
1
26/90

REGULAR COMMISSION MEETING

DATE: Thursday, April 26, 1990
TIME: 9:00 A.M. - 12:00 Noon
PLACE: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

DOCUMENTS DEPT.
APR 23 1990
SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

I. Roll Call

II. Approval of the Minutes of March 22, 1990 and April 12, 1990

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Remarks from the Audience*

VII. Social Issues/Police Liaison Committee Report:
Commissioner Peter J.Sammon, Chair

A. Adoption of a Resolution Urging Congress to Repeal Employee Sanctions Provision of the Immigration Reform and Control Act 1986 (IRCA)

VIII. Youth and Education Committee: Isadore Pivnick, Chair

A. Request for the Recreation & Park Commission to Reconsider the Increase in Zoo Fee

IX. MBE/WBE Advisory Committee Report: May P. Jaber, Chair
(9:30 A.M. Approx)

A. Acceptance of MBE/WBE/LBE Ordinance II Progress Report
B. Adoption of Progress Report Recommendations

X. New Matters

XI. Calendar Matters

XII. Ad Hoc Committee on Monitoring: May P. Jaber, Chair
A. Executive Session - Consideration of the Report by the Ad Hoc Committee

XIII. Adjournment

* Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioner's discussion of agenda items.

PMJ:mr
hrc-agen-4/26
Commissioners[10]
April 19, 1990

SF
H80
#2
4/26/90
c 2

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Meeting of Thursday, April 26, 1990

NEXT MEETING

Date: Thursday, May 10, 1990
Time: 9:00 A.M.
Place: Department of Public Health
101 Grove Street, Auditorium, Room 300

The meeting was called to order at 9:05 A.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Vivian Hallinan, May Jaber, Karen N. Kai, Lawrence B. Martin, Isadore Pivnick, and Peter J. Sammon.

EXCUSED: Leonard Graff and Lucile Lockhart.

HRC Staff Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Larry Brinkin, Bayard Fong, Jacquie Hale, Don Hesse, John Hurst,Intern; Ed Ilumin, Zula Jones, Shana Margolis, Intern; Nat Mason, Dick Norton, Clemente Obregon, Mercedita Rabel, Gail Roberts,Panetta Scott, Carmen Smith, Mary Gin Starkweather, David Treanor, Kevin Williams, and Vicky Zimpel.

Guests Mara Rosales, Deputy City Attorney; Laverda Allen, Asian Indian Association of America and Association of Minority Architects; Grandell Jackson and Lulann McGriff, National Association for the Advancement of Colored People; Willie Ratcliff, Minority Contractors Association; Rajendra Sahai, Asian Indian Association of America; Dr. Eddie C. Welbon, Bayview Hunter's Point Homeowners & Residential Community Development Council; Ace Washington, WAPAC.

APPROVAL OF MINUTES

It was
*** M/S/C to approve the minutes of March 22, 1990 and April 12, 1990.

COMMUNICATIONS

The Communication Folder was circulated among the Commissioners.

REPORT OF THE CHAIRPERSON

Commissioner Karen N. Kai welcomed new Commissioner, Vivian Hallinan. She acknowledged Commissioner Hallinan's involvement over the years in civil rights issues and expressed her delight over the appointment.

Commissioner Kai called Commissioners' attention to the memo they received requesting them to think about their committee assignments for the coming year and asked them to let her know of their preferences as soon as possible.

In conjunction with National Secretaries' Week, she publicly recognized the secretarial staff for the work they do for HRC. They are Ahn Dao, Sadako Ekusa, Nenita Panday, Bernie Perez, Blanca Torres, and Mercedita Rabel.

EXECUTIVE DIRECTOR'S REPORT

Director Jamero welcomed Commissioner Vivian Hallinan to the Commission. He also expressed appreciation for the work done by the secretarial staff whom he referred to as "the unsung heroes in the department."

o After staff looked into the complaints filed by the Black Coalition on AIDS, and on the advice of the City Atorney, it was determined Chapter 12D did not apply. The role of HRC is only limited to mediation.

o To make sure that one of the Commission's priorities, Community Relations, gets implemented there is a proposal to form a Speakers Bureau with Jacquie Hale as point person.

o Facilitator Linda Coleman assured Director Jamero that a report will be available next week in preparation for the coming joint Commissioners/Staff workshop.

o Budget - There is $7,000 in salaries budgeted in the current budget for the cost of increased salaries for the three staff members whose reclassification request is with Civil Service. The projected dollars at the end of June is $10,105. $3,000 will be used for computer training cost, another $3,000 for mailing and postage, and $4,105 is set aside for anticipated move-in costs.

GENERAL REMARKS FROM THE AUDIENCE

Dr. Eddie C. Welbon, Bayview Hunter's Point Homeowners & Residential Community Development Council, asked why discrimination against African American and other minority contractors has been allowed flagrantly in the award of contracts by the City contracting departments. The statistics showed Blacks received only a total of 1% from over a quarter billion dollars worth of contracts awarded. This is the worst affirmative action record in the country. This reflects the Commission's inability at top level of management to enforce the ordinance. He also wanted to know why Kevin Williams, HRC Contract Compliance Officer, became subject to retaliation by the Airport and HRC for doing his job. There must be change in direction. He demands new leadership in HRC.

Grandell Jackson, National Asociation for the Advancement of Colored People, reported that he was a member of the Task Force that organized the Human Rights Commission when the City was in the verge of social disorganization. He knows pretty what the ordinance is all about. He came to represent the president of his organization, Lulann McGriff, who was very much disturbed by what has been reported to her. He hoped he could stay during the discussion so he could have some information.

Ed Ilumin, HRC staff, announced the coming May 12th AIDS Bikathon. He will be representing HRC. He circulated sponsorship sheets and asked the Commissioners to sign up. In view of the cutback of funds, this is one way of bringing in some support to the sponsoring organization.

SOCIAL ISSUES/POLICE LIAISON COMMITTEE REPORT

ADOPTION OF A RESOLUTION URGING CONGRESS TO REPEAL EMPLOYER SANCTIONS PROVISIONS OF THE IMMIGRATION REFORM AND CONTROL ACT 1986 (IRCA)

Commissioner Sammon, Chair, Social Issues and Police Liaison Committee, introduced Ignatius Bau, Coalition for Immigrant & Refugees Rights Services, who reported on the provisions of IRCA.

Mr. Bau reported that in 1986, Congress passed the Immigration Reform and Control Act (IRCA) which provided for the legalization of undocumented persons and employer sanctions requiring employers to verify identification permits of persons hired after the enactment of the law. Congress anticipated there would be discrimination aginst workers with foreign bakcground so it required the General Accounting Office (GAO) to study the effects of employer sanctions. If GAO found widespread discrimination, Congress would be able to expedite preliminary procedures to repeal employer sanctions. In its third and final report, GAO concluded 19% of employers nationwide, about 891,000 who hired 6.8 million people in 1988 were engaging in discrimination practices. Mr. Bau requested that San Francisco go on record in supporting the repeal of these sanctions.

Commissioner Sammon reported that changes were made on the second page of the resolution. In the final paragraph where it says "... a copy of the resolution will be submitted to ..", the Mayor will be the first on the list before the Board of Supervisors, and another name of a lobbyist, Andrew Manatof, will be added at the end after Congressman Bruce Morrison.

It was
M/S/C to adopt the resolution urging Congress to repeal employer sanctions provisions of the Immigration Reform and Control Act 1986 (IRCA).

YOUTH AND EDUCATION COMMITTEE REPORT

A REQUEST FOR THE RECREATION & PARK COMMISSION TO RECONSIDER THE INCREASE IN ZOO FEE

Commissioner Pivnick reported that the Youth and Education Committee at its meeting of April 19, 1990, expressed concern about the increase in the admission fees at the San Francisco Zoo. This increase will discriminate against the low-income people, adult and children. The Commission urges the Recreation and Park Commission to reconsider its decision. Additional recommendations submitted by the committee were: a) instituting one Saturday and one Sunday of the month as free days in addition to first Wednesdays of every month, b) determining how much money is coming from field trips from outside the city and county of San Francisco and considering not charging for such trips, c) itemizing the $900,000 it is seeking to raise.

It was
M/S/C/ to adopt the letter which will be sent to the Recreation and Park Commission to ask them to reconsider their fee structure and consider the other recommendations.

MBE/WBE ADVISORY COMMITTEE REPORT

MBE/WBE/LBE ORDINANCE II PROGRESS REPORT

Commissioner Jaber, Chair, reported that the Commission had the MBE/WBE Ordinance II Progress report before it. She called on Director Jamero to provide a short bakcground report.

Director Jamero reported that the draft report was circulated among the Commissioners, City departments, members of the community, and the staff two weeks ago. He stressed that this is only a 6-month progress report. The report was made possible by the availability of a new system of automated data collection which provides statistics that would guide the City to pinpoint its efforts in a much better way to maximize full compliance and participation. We are in a better position to provide periodic reports meant to update the community and the City about the progress of the program. He expressed his appreciation for the work of Vicky Zimpel and her staff.

Ms. Vicky Zimpel, Senior Contract Compliance Officer, reported that the City has spent approximately half a billion dollars in the first six months of this fiscal year. She summarized the significant findings of the MBE/WBE report.

In Construction, out of the $210 million spent, less than 1% went to MBE's; in Professional Services (legal, computers, medical, etc.) out of $80 million, under 1% went to MBE's; in General services (janitorial, scavenger, security) out of $94 million, less than 1 % went to MBE's; in Equipment and Supplies, 15% went to MBE's which is the highest level of participation; in Architecture and Engineering, there was an increase from 1% to 10%. The availability is 30% to 40%.

By ethnic groups, Blacks were under 1% in all areas except Equipment and Supplies; Asian were under 1% in all areas except in three preofessinal consulting areas where they got under 10%; Latinos were under 1% in all areas except Equipment and Supplies where they got 2%; and Women are under 1% in all areas except Equipment and Supplies where they got 3%. On the whole, what the report shows is a very low level of representation.

The base is half a billion dollar, everything included except payment made to other government agencies which is a neglible amount. Awards to nonprofits are also included, the $69 million out of the $70 million total award for medical services, which is in some cases required by law to go to nonprofits.

We have to consider the size of the contracts. Some, particularly contruction contracts, are huge contracts. We need to revisit the whole subcontracting area in construction, which according to the departments, and HRC staff, is one way of getting the smaller minorlty firms involved in these huge contracts.

By enlarge, the departments are doing what the ordinance tells them to do in terms of Good Faith Efforts through advertising, mailings to MBE's, etc. However, the whole thrust of Good Faith Efforts in the Ordinance is too general. We have to do something targeted. With the new system, where we now know where the City spends its money, we could use the information to target the recruitment. The thrust of the recommendation is to target the outreach, with the the departments based on what and how much they buy, what possibilities there are of using MWBE's in these areas, target the outreach there and standardlze that throughout the City. That would be a helpful role that the HRC can play with the assistance of the Mayor.

Ms. Zimpel went on to discuss the effects of limiting the ordinance to San Francisco. There is a change in the ethnic pool from which we draw our MBE/WBE contracts. We lost 60% of the Blacks, 40%of the Asians, and 50% of the Latinos that had been previously certified. Overall we lost 50% of the minority/women firms we had certified. There were a lot of MWBE's from outside San Francisco bidding successfully in Equipment and Supplies, but they have stopped bidding. We have the responsibility to find out why.

In response to Commissioner Gillette's question on HRC's plan to improve the figures presented, Ms. Zimpel said the targeted outreach approach, focusing more on the departments' role in that outreach, might result in more contracts being awarded to M/WBE's.

Commissioner Martin suggested that the report be sent back to the MBE/WBE Advisory Committee, have them do some outreach to the members of the community concerned in this report, so we can add their input to the recommendations we already have, and send them back to the Commission. The Commission can not make any recommendations. It has to be done in the committee. Commissioner Jaber agreed with Commissioner Martin's suggestion.

Mara Rosales, Deputy City Attorney, reported that there might be a problem if the Commission decides to send the report back to the Committee in terms of the time frame in which the Board of Supervisors has to act. This report is

already beyond the required reporting date. She said because of the March 1 deadline, she advised staff to submit some kind of a report to the Commission so that everyone knows the state of the ordinance even if it is only an interim report. The Board of Supervisors would require two readings, so by May 22nd they would act on the report. They would then go to the Mayor for signature, and under the Charter, there is a 30 day waiting period between the time the Mayor signs and the time the law becomes effective. This gives a full month for the HRC and the departments to adjust to the changes. Come July 1, the changes in the ordinance would be in effect, and all City contracting would be on the same track. If Commission reports to the Board of Supervisors that HRC will continue to explore substantive recommendations, there should be enough time for the committee to deal with the remaining issues. By the time the Board of Supervisors convene, the recommendations and analysis should be ready. She recommended that the report be forwarded to the Board of Supervisors rather than be sent back to the committee.

Commissioner Martin said that he still believes it is very important to get some input from the community even if it means calling an emergency meeting and introduced a motion to that effect. A discussion followed.

It was
M/S/C to send the MBE/WBE/LBE progress report back to the MBE/WBE Advisory Committee, hold an emergency meeting including community groups, members of the department, members of the Commission, look at the recommendations in detail, and report within a time frame which will allow the Board of Superviors to act in time for the the coming fiscal year. Commissioner Gillette abstained.

Commissioner Bermudez stressed that everybody concerned should be invited, especially people from the community representing various organizations. Commissioner Pivnick suggested that a letter be sent to the Board of Supervisors indicating that we will come up with a report on time in terms of the action they have to take.

REMARKS FROM THE PUBLIC

Lulann McGriff, National Association for the Advancement of Colored People, reported she was pleased to hear that the Commission is sending the report back to the committee, thanks to Commissioner Martin's motion. The statistics in the report are a disgrace to all people who believe in justice and equality. The Commission has not even begun to fulfill its original mission. She is not pleased with the performance of the Director and the Commission as a whole. She would like to see the Commission get on with its job. Her organization did not even get a copy of the progress report. Something is not right when staff who holds people accountable are harrassed as exemplified in the case of Kevin Williams.

Rajendra Sahai represented Asian Indian Association of America, a group of over a 100 business owners from India, Pakistan, Bangla Desh, and Sri Lanka. He requested that they be included as disadvantaged minorities in the ordinance as part of the Asian group.

Laverda Allen, Asian Indian Assoiation of America and Association of Minority Architects, reported that she was at the April 19 meeting of the MBE/WBE Advisory Committee. She was unable to make comments at that time. She has since reviewed the report. She pointed out that out of the nine page report on recommendations, there is not a single thing HRC will do specifically. Based on what the HRC has been doing for the Blacks, the Blacks are probably better off without it. One of the recommendations on Professinal Services says the exclusion of Asians and Latinos from the goals and bid preference needs to be re-examined. Why did the recommendations say little about Blacks? How could their needs be better addressed?

Ace Washington, WAPAC, reported his organization also did not get a copy of the progress report. He requested that they be included in the mailing list of meetings, reports, and recommendations. He commended Commissioner Martin's motion to send the report back to the committee. He also suggested that a monitoring committee be set up made up of community leaders and be independent of the Mayor's Office, to monitor the Ordinance, HRC, the Redevelopment Agency and San Francisco Housing Authority.

Dr. Eddie Welbon, who spoke earlier, said that the results of the report tells us that something needs to be done. If the Commission does not do its job, the members of the community will do their jobs in terms of seeing to it that equity is given to minorities. The City Attorney must understand that they work for the people. Communities suffer when laws are not enforced properly. He cited the Bayview Hunter's Point as an example. The Commission must look after the City, the residents, the businesses and ethnic groups. The committees should not have closed sessions so the community can participate and have input.

William Radcliff, Minority Contractors Association, commented it seems what HRC does not do is talk with the contractors themselves. This problem has been going on for 25 years. Coming back to S.F. after being away for a long time, he was appalled at the lack of change in the City. The same things that kept the minorities out 20 years ago still keep them out today. People can not even get jobs in their own City. There is going to be an explosion if something is not done. The City should come up with bonding programs, financing programs to support the minorities so they can participate. Maybe some private suing should be done, maybe some demonstrations will help get things done.

NEW MATTERS

Commissioner Kai reported that a resolution to honor the support staff has been prepared. It is not a voting item but there was a consensus for support among the Commissioners in light of the timeliness of it, this being the National Secretaries Week, and that the support staff deserves such recognition.

Commmissioner Pivnick noted that the term "Human Rights Commission" does not distinguish between Commissioners and staff. He suggested that it be changed to "the members of the Human Rights Commission" or "Human Rights Commissioners." The resolution was accepted as modified.

CALENDAR MATTERS

The next regular Commission meeting will be on May 10th. The joint Commission/Staff workshop will be on May 24th.

STANDING COMMITTEES

EMPLOYMENT	Thursday, May 3, 1990 9:00 A.M.-11:00 A.M. Veterans Building, 401 Van Ness, Room 110B (cancelled)
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, May 15, 1990 5:30 P.M. Veterans Building, 401 Van Ness, Room 110B
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	Thursday, May 3, 1990 5:30 P.M. Room 712, 1095 Market
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 15, 1990 9:00 A.M. - 11:00 A.M. Room 509, 1095 Market

YOUTH AND EDUCATION — Thursday, May 17, 1990
3:30 P.M.-5:30 P.M.
Commission on Aging, 6th Floor
25 Van Ness

SELECT COMMITTEE ON AFRICAN AMERICAN PARITY — To be announced

AD HOC COMMITTEE REPORT - AIRPORT CONTRACT MONITORING

Commissioner Jaber, Chair, Airport Ad Hoc Committee, reported that the committee report is only a preliminary report. There are items still outstanding. Those are: 1) the State Listing Law, the interpretation of it from the Attorney General; 2) the questions on FAA funding, 3) the historical accounting of changes in the ordinance, 4) the interviews with the conctractors that were involved in the Airport Contract No. 1952. Also, the Controller's Office Audit Report,which was received only this morning,still has to be reviewed. The preliminary report follows:

MINORITY/WOMEN BUSINESS ENTERPRISE CONTRACT COMPLIANCE

Ad hoc Committee Investigation
Commissioners May Jaber, Lenore Chinn and Lawrence Martin

DUE TO PENDING LITIGATION SOME ISSUES CANNOT BE DISCUSSED IN OPEN SESSION AND WILL BE DISCUSSED ONLY IN EXECUTIVE SESSION THIS MORNING. THIS INVESTIGATION IS STILL OPEN AND WILL CONTINUE.

Findings, Recommendations and Support Documentation

The Ad Hoc Committee was formed to review Airport Contract No. 1952 and the San Francisco International Airport's implementation of the MBE/WBE/LBE ordinance. Additionally, we have been asked to look into Kevin Williams' involvement with the contract.

After a thorough review of all documents and hearings to date concerning the contract in question it is our opinion that as of July 26, 1989, when all bids were reviewed and determined not to have met the 22% DBE goals, the HRC staff person (Kevin Williams) should have notifled his immedlate supervisor (Vicki Zimpel) and the Airport Commission of this fact and all bids should have been rejected. Since this did not happen, O'Grady, Inc. was accepted as low bidder and awarded the contract. Following our hearing with Director Peter Jamero it was determined that he had knowledge of Contract No. 1952 as of August 15, 1989 and therefore had ample time to resolve this matter in a timely manner. Had this been done, this entire situation would not be at issue today.

FINDINGS

1. All bidders should have been ruled as non-responsive and their bids rejected.

2. Because of the short time frame within which a contractor had to complete the runway job before the rainy season, the Airport could not delay matters further by extending the bid opening date. Therefore, we find that Peter Jamero and Kevin Williams deviated from established procedures to accommodate the airport's need.

3. It is also our finding that the initiation process to add Albert Electric as a subcontractor to O'Grady was in violation of the State Listing Law.

4. Given the circumstances, in order to comply with the provisions of the State Listing Law, Allbert Electric should have been listed as a subcontractor to the subcontractor, Rosendin, rather than as a subcontractor

to the prime contractor, O'Grady. This form of tiering would not be in violation with the State Listing Law.

5. There is conflicting understanding between HRC and the City Attorney regarding the application of bid preferences where FAA jurisdiction prevails.

6. The State Listing Law should have been a nonissue if the following had occurred:

a. If HRC staff and director had reviewed the State Listing Law, they would have known that adding a subcontractor (i.e. Albert Electric) to the prime contractor (i.e. O'Grady) was illegal since Rosendin was already listed as O'Grady's subcontractor.

b. Similarly, we believe the SFAC has within its own hierarchy, mechanisms which would also give it an opportunity to review contracts for their legality on several levels. These include the airport's Finance and Administrative Unit, the Department of Engineering and the Legal Department. Due to the importance of the time frame for construction we feel the airport, along with HRC, should have examined Contract No. 1952 closely to ensure compliance not only with the provisions of the prevailing MBE/WBE/LBE ordinance but with any other laws which may have had an impact on the award of this contract, including but not limited to the State Listing Law.

7. According to Deputy City Attorney Mara Rosales the old MBE/WBE/LBE ordinance was deemed to apply to Contract No. 1952.

8. It is our understanding that all contract compliance officers under Vicky Zimpel were informed as to the State Listing Law and its applicability and that if there was a question regarding any aspect of this law it should be directed to the City Attorney for a ruling. Given the complexity of the circumstances surrounding Contract No. 1952 we also understand that a final interpretation is still pending from the State Attorney General. However, we reiterate it is the responsibility of HRC to point out potential violations of the State Listing Law as they may apply to a bid.

RECOMMENDATIONS

1. The funding of an HRC contract compliance officer by the very city department or agency which is the subject of contract compliance is a source of continuing conflict. In effect, it puts the monitoring individual in an untenable position, undermining his or her authority and autonomy to perform his or her obligations. No city department should have discretionary authority over one of our contract compliance officers. This impediment must be removed by having the HRC independently funded.

2. a. There is a perception among some HRC staff and particularly some contract complince officers that an informal Memorandum of Understanding (MOU) exists between the Directors of the Human Rights Commission and the Airport. It seemed Director Jamero was in the process of establishing such a relationship without the knowledge of HRC Commisioners. He was reminded that such an undersanding without the formal approval of Commissioners was inappropriate. We reiterate that it is not the purview of the Director to overstep the hierarchy of the Commission or to bypass protocol.

b. While we understand the intent to develop a good working relationship with the Airport, we feel it should not be at the expense of undermining the mandate of the current ordinance. Nor, should it be with the result of undermining the ability and authority of any HRC contract compliance officer to perform the function for which he or she has been designated.

c. A contract compliance officer must have the complete cooperation of the relevant city department in carrying out these duties and in assisting that department to comply as stipulated in the law. Failure to do so would be regarded as resistence to the intent of the ordinance.

d. We would highly recommend the need for remedial action in the area of communication firstly, between the Director and his staff. Staff must be kept appropriately informed of issues which affect their ability to perform their tasks. They must not be kept "in the dark," as if their obligations are subordinate to or unaffected by the departmental relationships in which the Director of HRC participates. Similarly, staff must keep the Director adequately informed of developments which may have an effect on HRC's credibility and ability to serve the public. Staff and Director must have the support of one another In overseeing departmental contract compliance.

e. We believe the Director must have a more "hands on" approach in his relationship with staff, to understand the importance of teamwork in the implementation of the ordinance. If the Director finds resistance in compliance he should enlist the support of the Human Rights Commission rather than engage in passive ngotiation with deparmental managers. The MBE/WBE/LBE program cannot afford the additional obstcles of an adversarial relationship between HRC staff and Director or between contract compliance officers and city departments being monitored.

3. The possibility of impropriety on the part of ANY city department in the course of implementing the ordinance whether by intent or benign neglect erodes the credibility of that agency and its willingness to support the M/W/LBE program. It is as important to restore public faith in this program as it is to demonstrate departmental support by actual performance.

4. Given the inability of the City to reach its goals prior to 1989, paving the way for the current ordinance, and the bleak performance statistics regarding the first six months of the new ordinance, we would highly recommend that further investigation into issues of disparity of minorities/women/small businesses be given top priority. The current problems relating to Contract No. 1952 reiterate the need for an Availability Study as proposed for Supplemental Funding at our HRC meeting of April 12, 1990. It is essential to identify impediments to participation in our own procurement process.

CONCLUSIONS

The role of each city department and contractor (prime contractors and subcontractors) in the implementation of the MBE/WBE/LBE program must be explicitly defined. In the case of Contract No. 1952 there appears to have been a major breakdown in communication by all parties concerned. Furthermore, there has been confusion about responsibilities, negotiation and conciliation procedures, inconsistency in interpretation and application of pertinent laws (i.e. the State Listing Law), bid preferences under prevailing ordinance(s), misunderstanding of legal advice and misunderstanding of relevant experts, exacerbated by personality conflicts, "threats" of extortion, a climate of non-cooperation and union vs. non-union isues. All of these have worked to create a damaging impression in the public perception that there was a deliberate and conspiratorial attempt to circumvent the mandate of the current MBE/WBE/LBE ordinance and deny a subcontractor an opportunity to participate in our program. Under these and other related conditions it would be difficult at best to implement and manage this program.

In fact, this Incident has served to further strengthen the opinion that the program will not offset the economical disadvantages encountered by the groups defined in the ordinance.

It is difficult to determine, based on conflicting and unsubstantiated testimony and recall of individuals related to the Incident in question, whether there was actually intent to undermine the "good faith" effort required to entitle the prime contractor, O'Grady, to the award of No. 1952 by not properly listing Albert Electric in the bid negotiations when there might have been sufficient time to take remedial action.

In retrospect we believe there may have been poor judgement calls made during

a time when there was uncertainty about which ordinance or agency had jurisdiction at the time (City or FAA) due to the time the contract was advertised, open to bid, and awarded, and uncertainty about how it was funded.

There also seemed to be a pressing need to locate a contractor and begin the project due to anticipated weather conditions (onset of the rainy season). These circumstances raised questions which are still unresolved and some await the determination of the State Attorney General (i.e. regarding the issue of the State Listing Law).

In conclusion, we find that the events stemming from the handling of Contract No. 1952 by HRC could have been avoided had the HRC Director exercised his authority by providing leadership to staff in implementing standardized policies. Uniform interpretation and application of ordinances, rules and regulations by HRC staff along with beter commmunication and knowledge of procedures would have prevented the events leading to the formation of the Ad Hoc Committee.

Finally, we urge the Mayor to set the tone once again for compliance by ALL City Departments. It is important to the stability of the City and to the livelihood of all participating businesses which are extended an opportunity to establish an equal footing in the marketplace. We must not only be aggressive in our outreach efforts, we must remove the impediments in our own procurement process. We stress that departmental compliance must go beyond adherence to the administrative code. There must be concerted effort to create an atmosphere of support for the program from all sectors.

Commissioner Kai thanked the members of the Ad Hoc committee for the work they have done. She knows a good number of hours during the weekend and in the evenings have been spent to complete the report. Commissioner Bermudez commended the Ad Hoc Committee for the report. Commissioner Pivnick also praised the committe for coming up with such a thorough report in such a short time.

EXECUTIVE SESSION

The Commission met in an executive session from 11:45 A.M. to 12:29 P.M.

ADJOURNMENT

The meeting was adjourned at 12:29 P.M.

Respectfully Submitted,

Peter M.Jamero
Executive Director
by:
Mercedita Rabel
Commission Secretary

PMJ:mr
Minutes-4/26/90
Min[12]
May 4, 1990

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

MEMORANDUM

TO: All Commissioners

April 23, 1990

FROM: Peter M. Jamero
Executive Director

RE: Communications Folder

CORRESPONDENCE:

DATE	TO	FROM	SUBJECT
Rec'd 03/29/90	Peter M. Jamero	Mayor Art Agnos	City Employees Awards ceremony
04/10/90	HRC Commissioners and Staff	Peter M. Jamero	Swearing-in ceremony for the three Commissioners
04/11/90	HRC Commissioners and Staff	Commissioner Karen Kai	Postponement of April 12 Workshop
04/12/90	Margo Okosawa-Rey Professor, UCSF	Commissioner Isadore Pivnick	Commendation for Paul De Rosa
04/16/90	Mayor Art Agnos	Commissiosner Karen Kai	Holding meetings in the City's neighborhoods
04/17/90	HRC Staff	Peter M.Jamero	Ed Ilumin's winning City Employees Award for his work during the earthquake
04/18/90	Commissioner Vivian Hallinan	Peter M. Jamero	Congratulations/Welcome to the new Commissioner, Vivian Hallinan
04/19/90	Claude Everhart, Deputy Mayor	Peter M. Jamero	City of Refuge letter of April 5, 1990
04/19/90	Commissioner Karen Kai	Peter M. Jamero	Appointment of the Hearing Officer in the matter of Bay Cities Paving

NEWSPAPER CLIPPINGS:

TITLE	DATE	PUBLICATION	SUBJECT
"House Sends Hate Crimes Bill to President"	04/05/90	SF Chronicle	Legislation requiring the Federal Gov't to collect statistics on hate crimes approved by the House of Representatives.
"Bay Area's Minority Business Commissioners"	04/06/90	SF Chronicle	Appointment of Bay Area's David Lam and Hernando Caampued to the new Presidential Commission on Minority Business Development.
"District Attorney Targets Bigots"	04/08/90	The Examiner	District Attorney's major offensive against hate crimes.
"Crabbing a Role Model"	04/11/90-04/17/90	Philippine News, an article by Rodel Rodis	An HRC employee, Kevin Williams' presentation at a Filipino function.
"Community News Sparks Fly at "Kapihan" as Employee Hits Jamero."	04/09/90-	The Eye, an article by Lilia Andolong	Kevin Williams, HRC Contract Compliance Officer, a presentation at a Filipino function.

WAIVER REQUESTS:

Dept.	Contract	Contractor	Amount of Conctract	Granted/ Denied	Type of Waiver*	Date Waiver
Public Works	Upgrade of Computer	Appentic	$ 38,000	Granted	Sole source	04/11/90

Explanation: Contractor is the only firm in Northern California trained in this system.

Public Works	Personal Services	Air Products and Chemical, Inc.	$ 96,000	Granted	Sole source	04/11/90

Explanation: The firm is the owner of the patent for the process being used at our SE Water Pollution Plant and another plant currently under construction.

KEY:

sole source	=	needed goods or services available only from this contractor, who is not an MBE or WBE
emergency	=	necessary to respond to emergency; no time to apply bid prefernce(pursuant to S. F. Administrative Code 6.30)
LBE over $5 million	=	LBE in S.F. is unavailable, LBE outside S.F. is available, or significant costs to the City if waiver is not granted

PMJ:mr
Comm-4/26 mtg
April 23, 1990
Min[11]

ity and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

F
80
1
0/90

REGULAR COMMISSION MEETING

DATE: Thursday, May 10, 1990
TIME: 9:00 A.M. - 12:00 Noon
PLACE: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

A G E N D A

DOCUMENTS DEPT.
MAY 8 1990
SAN FRANCISCO
PUBLIC LIBRARY

I. Roll Call

II. Approval of the Minutes of April 26, 1990

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Remarks from the Audience*

VII. Standing Committees

A. MBE/WBE/LBE Advisory Committee: Commissioner Lenore Chinn, Vice Chair

1. Acceptance of MBE/WBE/LBE Ordinance II Progress Report and Adoption of Recommendations

B. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair

1. Follow-up action on letter to Secretary Sullivan, U.S. Department of Health and Human Services
2. Committee Report

C. Employment Committee: Commissioner Frankie Gillette, Chair

1. Committee Report

D. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair

1. Committee Report

E. Youth and Education Committee

1. Committee Report

VIII. Committee of the Whole: Commissioner Karen N. Kai, Chair

1. Adoption of the Proposed Restructuring of HRC Committees
2. Adoption of Implementation Strategy for Commission Priorities
3. Plan for Commission Meetings in the Neighborhoods

IX. Program Unit Reports

1. MBE/WBE/Systems Development Unit Report: Vicky Zimpel, Senior Contract Compliance Officer
2. Dispute Resolution Unit: Richard Norton, Acting Unit Manager
3. Lesbian/Gay/AIDS/Disability Unit: Norm Nickens, Coordinator
4. MBE/WBE Monitoring Unit: Frank Anderson, Senior Contract Compliance Officer
5. Special Projects Unit: Adelbert Campbell, Deputy Director

X. New Matters

XI. Calendar Matters

XII. Adjournment

* Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioner's discussion of agenda items.

PMJ:mr
hrc-agen-5/10
Commissioners[12]
May 3, 1990

F
SO
2
0/90

DOCUMENTS DEPT.
MAY 3 1 1990
SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Meeting of Thursday, May 10, 1990

NEXT MEETING

Date: Thursday, May 24, 1990
Time: 9:00 A.M.
Place: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

The meeting was called to order at 9:32 A.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Vivian Hallinan, Karen N. Kai, Lucile Lockhart, Isadore Pivnick, and Peter J. Sammon.

EXCUSED: Leonard Graff, May Jaber, and Lawrence Martin.

HRC Staff Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Larry Brinkin, Bayard Fong, Jacquie Hale, Zula Jones, Shana Margolis, Intern; Nat Mason, Dick Norton, Clemente Obregon, Mercedita Rabel, Gail Roberts, Panetta Scott, Carmen Smith, Mary Gin Starkweather, David Treanor, Kevin Williams, and Vicky Zimpel.

Guests Henry Chang, Peggy Chiang, Sandra Crumpler, Raj Desai, Dorothy Erickson, Ben Kawamura, Geo Kindi, James Jefferson, Pete Lam, Calvin Louie, Yogi Patel, Lester Olmstead-Rose, Mr. Treskunoff, Rajendra Shai, Hersh Siluja, Ace Washington, Sam A. Williams, Alfred Williamson, and Harold Yee.

APPROVAL OF MINUTES

Commissioner Gillette requested that her reason for abstaining be stated for the record. Commissioner Gillette could not vote on the motion regarding the adoption of the M/W/LBE Progress Report because her business is a certified M/WBE.

Commissioner Chinn wanted the following sentence added before the beginning of the second to the last paragraph on Page 4: "Due to the lack of quorum of the MBE/WBE Advisory Committee which met April 19, 1990, the MBE/WBE/LBE Ordinance II Progress Report came before the Commission on April 26, 1990 without a committee recommendation."

It was
*** M/S/C to approve the minutes of April 26, 1990.

COMMUNICATIONS

The Communications Folder was circulated among the Commissioners.

CORRESPONDENCE:

DATE	TO	FROM	SUBJECT
Rec'd 4/23/90	Peter M. Jamero, Executive Director Gail Roberts, Doris Ward, Supervisor	Frederick Carl, Hillsborough County Attorney	Planned visit to S.F. to to study "post-Croson program
4/20/90	Human Rights Commissioners	Peter M. Jamero	Approval of contracts
Rec'd 4/26/90	Peter M. Jamero	Anthony DeLucchi, Director of Property	Move to 25 Van Ness - still on hold
Rec'd 4/26/90	All City Departments	Mayor Art Agnos	Limitations on Minority and Women-Owned Business Enterprise Program
4/30/90	Keith G. Eickman, Pres., Recreation & Park Commission	Commissioner Karen Kai	Increase in admission fees at the S.F. zoo
5/1/90	Eva Patterson, Urban Laywers' Committee	Peter M. Jamero	Planning of meetings with the Coalition for Economic Equity
5/1/90	Vicky Zimpel, HRC Sr. Contract Compliance Officer	Peter M. Jamero	Commendation for completing MWBE Progress Report
5/1/90	Anthony DeLucchi Dir. of Property	Peter M. Jamero	Move-in date to 25 Van Ness
5/2/90	Linda Chin, Bayard Fong, Zula Jones, Clemente Obregon, Linell Harden, and Pansy Waller	Peter M.Jamero	MBE/WBE Technical Assistance and Outreach Task Force
5/3/90	Commissioners May Jaber and Lenore Chinn	Peter M. Jamero	Inclusion of Asian Indians in the M/WBE Ordinance No. 175-89
Rec'd 5/3/90	Commissioner Karen Kai	D. Z. L. Goosby, Vice President Airports Commission	Invitation to lunch for for all Commissioners
5/3/90	Louis A. Turpen Dir. of Airports	Peter M. Jamero	Confirmation of agreement reached at joint meeting on 4/25/90

NEWSPAPER CLIPPINGS:

TITLE	DATE	PUBLICATION	SUBJECT
"Sinking Fast as Goal Programs Thin"	3/29/90	The McGraw-Hill Construction Weekly	Minority Contracting
"Women's Cancer Resource Center: Taking Charge of Women's Lives"	May, 1990	The San Francisco Bay Times an article by K. L. Erlichman	Women's Cancer Resource Center (WCRC)

WAIVER REQUESTS:

Dept.	Contract	Contractor	Amount of Contract	Granted/ Denied	Type of Waiver*	Date of Waiver
ADULT PROBATION	Professional Services	Jules Burstein	$ 4,800	Granted	Sole Source	04/11/90

Explanation: Request granted in order to not hold up needed services, approved the waiver request with the condition that Adult Probation will go out for Request for Qualification (RFQ) and outreach to MWBE's for July 90-June 91.

PUBLIC WORKS	Professional Services	Computer Aided Management	$ 9,000	Granted	Sole Source	04/24/90

Explanation: Computer Aided Management is the maker of the software; also provides training needed.

CONTROLLER'S OFFICE	Prof. Services	Pilot Execuctive Software	$ 107,910	Granted	Sole Source	04/26/90

Explanation: PES is the only firm which has this software and technical expertise. Controller's Office has used this software system since 1984.

*KEY:

sole source	= needed goods or services available only from this contractor, who is not an MBE or WBE
emergency	= necessary to respond to emergency; no time to apply bid preference (pursuant to S. F. Administrative Code 6.30)
LBE over $ 5 million	= LBE in S.F. is unavailable, LBE outside S.F. is available, or significant costs to the City if waiver is not granted

Commissioner Kai called the Commissioners' attention to a letter sent by Dr. Z. L. Goosby, Airports Commission, inviting the Commissioners to a luncheon meeting to familiarize them with Airport facilities,contracts/leases, and M/WBE program. She is concerned about the timing of the meeting because HRC is in the midst of reviewing Airport Contract No. 1952. Also, she is not sure if such a meeting complies with the Brown Act in terms of public notice for public meetings. We will follow-up on this and try to have a session with the Airport at a more appropriate time with all the Commissioners present.

REPORT OF THE CHAIRPERSON

Commissioner Karen N. Kai attended a Civil Rights Symposium sponsored by the Chinese for Affirmative Action and UC Berkeley Asian and American Studies. The focus was on inter-ethnic relations, how they are changing and the new issues arising.

EXECUTIVE DIRECTOR'S REPORT

o In response to a letter sent by the Commission urging the Office of the Mayor to act on supporting the supplemental budget request for an availability study, the Mayor's Office has decided to take the lead. The intent is to explore fully the interest of all City departments and other Bay Area communities in support of a coordinated availability study.

o Regarding the complaint of noncompliance filed against Bay Cities Paving, the Director's finding of non-compliance was appealed by the firm and will be heard by a hearing officer subsequently.

o On the move to 25 Van Ness, Director Jamero took the initiative to get the support of the Directors of the Arts Commission and the Commission on the Status of Women who are also impacted by the continuing lease problems. We are expecting a letter from the Real Estate Department inviting the Chairs and Directors of the three Commissions to work out a clear understanding as to why there have been no significant developments.

o Civil Liberties Day will be celebrated on Monday, May 14 at 12:00 noon at the City Hall Rotunda. Mayor Art Agnos will join in the celebration. Commissioner Hallinan has taken the lead. Commissioner Hallinan gave a very interesting account of what happened on May 13, 1960. She invited everyone to join in the Civil Liberties Day celebration.

GENERAL REMARKS FROM THE AUDIENCE

There were no general remarks from the audience.

M/W/LBE ADVISORY COMMITTEE REPORT

The Commission could not vote on the acceptance of the M/W/LBE Progress Ordinance II Progress Report and the adoption of the recommendations. Commissioner Gillette's business is a certified M/WBE and she is deemed interested so she could not count towards a quorum.

Commissioner Chinn, Vice-Chair, reminded the Commissioners that at its meeting of April 26, 1990, the M/W/LBE Progress Report came to the Commission without any recommendations from the M/WBe Advisory Committee because of a lack of a quorum at the Advisory Committee meeting of April 19th. At the recommendation of Commissioner Martin, the report was sent back to the Commitee in the hope that more input could be solicited from the community, departments, Commissioners, and staff. At the May 3rd meeting, the Committee was again faced with the same problem of lack of quorum. Thus it could not bring final recommendations to the full Commission.

Director Jamero reported that the Progress Report, the Summary of Recommendations, and the additional recommendations is planned to be submitted to the Board of Supervisors on May 11 for consideration. Public input from aformentioned Advisory Committee and Commission meetings and as well as today's meeting could also be incorporated and forwarded to the Board.

REMARKS FROM THE PUBLIC

James Jefferson, Coalition for Economic Equity, urged the Commissioners not to adopt the report. It is badly written, disorganized, confusing, and many things are missing. He read examples from the report showing the very low participation of Black businesses in almost all areas. Most people will be outraged because of the gravity of the situation. The Commission should take a stand. Sending the report back to the Board of Supervisors with the recommendations attached is not doing the job. The Ordinance clearly states that the Commission should have the responsibility of recommending to the Board of Supervisors and the Mayor actions to be taken to correct these kinds of problems. The Commission should assure that the departments in the City abide by the law.

Responding to Commissioner Lockhart's question on what the Commissioners could specifically do, Mr. Jefferson recommended the establishment of an Office of Contract Compliance and Enforcement in the Mayor's Office to monitor the M/WBE program and asked for the Commissioners' support. It takes people trained in contracting enforcement and administration to do the best job in this particular area. It takes an entity to deal with these departments on a day to day basis; to get the City departments follow the law with respect to

giving minority and women businesses opportunities to participate in contracts.

Harold Yee, Asian Inc., said that the recommendation of Mr. Jefferson should be given very serious consideration. The day to day requirements of contract compliance requires analytical data analysis capability that differs from the other objectives of HRC.

The Board of Supervisors should consider the re-entry of Asians to the M/WBE program. Chapter 12D states that the Director should make periodic review of recommendations. The Director should recommend the re-entry of Asians based on evidence as prescribed by the Croson decision, the study of the Budget Analyst, the Grunstein report, and within Chapter 12D itself. Staff should use the system model on which to base the report. The reason staff is not using it is because it was not involved in the study, development, and the creation of the model that went into Chapter 12D. That particular model still stands as the primary basis for the inclusion of new group. HRC does not have the capability for that stand up, stand alone analytical model. He urged the Commissioners to get that capability put into place.

It is essential that new groups be included in the M/WBE program. This is a requirement in the Croson decision. A hearing should be called with all the parties involved to be represented including the City Attorney's Office because it is that office that makes the legal interpretation as to which groups have the evidence to be included and which have not.

Alfred Williamson, Williamson and Associates, reported that as early as 1983, people in the community were already talking about the importance of the minority businesses participating in City contracting. It is now 1990 and people are still talking about the same issues. His group plans to go to Federal Court to call for an injunction against the City to hold up its budget.

Raj Desai, Asian Indian Association, reported he would like the inclusion of Asian Indians as a minority group be strongly recommended to the Board of Supervisors. The group is requesting to be included within the Asian category.

Rajendra Sahai, Asian Indian Association, supported the testimony of Mr. Jefferson and Mr. Yee. The present Ordinance is not meeting its goals. In spite of the availability of minority business groups in different categories, there is still a tremendous back slide in the first six months of the Ordinance. There is a dramatic drop in the Black, Asian, and Latino participation in City contracting. The Ordinance should be strictly enforced. If it is a question of outreach, he would like to know why there was higher participation earlier. He feels that the minorities are losing power in San Francisco. It is tragic because San Francisco is a very liberal city. He reiterated Mr. Desai's request that Indians be included in the program as part of the Asian group. He mentioned the vey compelling testimony by the group before the Government Operations Committee of the Board of Supervisors. The Committee recommended that Asian Indians be reinstated.

Sam A. Williams, California Minority Vendors Bank, reported that for the last two years, his firm has been researching the lack of participation of minorities in City and County business opportunities. He received the draft of the Progress Report which he believed to be totally unacceptable. He commented on the May 7 memorandum from the Director to the Commission which was not made available to the general public. The minutes of the May 3rd M/WBE Advisory Committee were not even available to study so the community could clearly understand the seriousness of the matter. Mr. Williams went on to read examples of recommendations in the May 7 memorandum. Some of them are confusing and not very clear. He wanted to know why some departments are giving recommendations when they are not the responsible agents in the 175- 89 Ordinance. He described it as a classic example of "the tail wagging the dog." He also called the Commissioners' attention to the meeting of the Finance Committee on the Health Department's request for $19 million in health care. The M/WBEs did not have participation in the contract.

He suggested that an accelerated, aggressive outreach program be initiated. He asked that the tapes of the two Advisory Commmittee meetings be released to him and other MBEs. The information in those tapes will clarify what the Commission wants to send the Mayor's Office, the Board of Supervisors, and the Chief Administrative Office. Each department head should be mandated to review the public records such as tapes of this meeting and the meeting of May 3rd. He supported Mr. Jefferson's recommendation to establish an Office of Contract Compliance and Enforcement.

Ace Washington, WAPAC, echoed similar sentiments expressed by the previous speakers. He requested that his organization be sent updated information about the MBE/WBE Ordinance. He supported the plan to request an injunction to hold up the City budget. He suggested that a committee composed of community leaders be set up, independent of the Mayor's Office, to monitor the Redevelopment Agency, the San Francisco Housing Authority, and the Planning Commission. Mr. Washington inquired if the HRC has received any response from David Gilmore, Director of San Francisco Housing Authority in regard to their Affirmative Action program. Commissioner Kai stated that Director Jamero would provide a status report subsequently.

Peter Lam, Council of Asian American Business, reported that his group had reviewed the recommendations of the 7/89 - 12/89 Progress Report. However, the recommendations are not adequate and strong enough. Croson v.s. Richmond had a profound effect on minority participation in City work. The Asians and Latinos were excluded from having a goal or preference. Their members had felt a sharp drop in requests by majority firms to joint-venture. Requests to participate in teams by the big firms also dropped sharply. They are not getting the opportunity to bid successfully on City projects anymore. As can be seen in the draft report, minorities are doing less and less city work.

Subcontracting is not addressed. What we need are procedures and rules that work. We should make it difficult for successful primes to be awarded a City contract if they do not show an adequate level of minority participation. The HRC can establish an expected level of participation for M/WBE prime or subconctractors. If the bidder fails to meet these expectations, put them through the grinder. Hold a public hearing on bidders' good faith and outreach efforts and other creative hearings. When such procedures are published, the bidders would be more than willing to do genuine outreach than to have to attend public hearings when they become successful bidders.

Henry Chang, Structus, reported the Executive Summary stated that the Report intends to show "the level of M/WBE participation in City contracts remains virtually unchanged...." This is far from the reality that the Asian Architects and Engineers faced in the six months studied in the Report. The Asian Architects and Engineers' participation in City projects dropped from 21% in 1988 to 6.8% in 1989-90, or nearly a 70% drop. As a structural consulting firm, they have experienced one major loss, the opportunity to work on the new Museum of Modern Arts Building as a structural sub-consultant. Forrell Elsesser Engineers, the structural consultant, had asked them to be the MBE sub-consultant. However, when they learned that Asian firms no longer count as MBE, they decided to drop their firm as sub-consultant. This would not have happened if Asian firms were still considered as bona fide MBE firms that count.

To get equitable participation, Asian Architects and Engineers (A&E) firms, must first be recognized as bona fide MBEs. Secondly, a participation goal for Asian A&E firms must be set. Based on the availability rate of 25.1%, as noted on the HRC Report, 25 % is both fair and justifiable. With the anticipation that a substantial amount of work that will soon be forthcoming from the SF International Airport Expansion Project, the group feels it is imperative that the Commission act now on these measures. With $3 billion at stake, and A&E contracts to be let by November of this year, what is important is not what to do next year, but what to do now if participation from Asian A&E firms is expected.

Calvin Louie, Association of Asian CPA's, recommended that better efforts be made to inform the MBE's about the upcoming contracts, especially which departments are giving those contracts. He pointed out an example of the low

minority participation in Professional Services contracts. Out of $1.5 million in contracts, Blacks got 0%, Asians got $36,500 which is roughly 2.4%, Latinos got 0%, and Women, 0%. These figures are very low considering that the availabililty is 56.3%.

Harold Yee commented that Chapter 12D specifically states that the Director should make the recommendations to the Board of Supervisors and Office of the Mayor and not act as a "pass-through." Responding to Commissioner Kai's remark that the Commission could not legally act on the recommendations, he suggested to hold off the report until the Commission gets direct recommendations from the Director with evidence before sending it to the Board of Supervisors.

Responding to Commissioner Gillette's question on the effect of not submitting the Report and set of recommendations to the Board at this point, Director Jamero explained that the Board would not be able to make the necessary changes to the Ordinance early enough in the next fiscal year. As a consequence, contracts would be initiated and negotiated under the existing Ordinance.

The Commission recessed from 11:05 A.M. to 11:20 A.M.

Commissioner Chinn reported that in the best interests of the public, transcripts of the last two meetings of the M/W/LBE Advisory Committee should be reviewed along with testimony taken today, cull the information for recommendations, including the ones offered through the public, and consolidate them into a supplemental report.

To avoid a calendaring problem, Director Jamero proposed that the Draft Report, together with the two sets of Recommendations, be sent to the Board of Supervisors, and that the staff be asked to prepare a supplemental report consistent with Commission directions. This would also provide an opportunity to look at not only today's testimony but also that from the two M/W/LBE Advisory Committee meetings.

Commissioner Lockhart strongly commented that acceptance of that proposal would not be a responsible action on the Commissioners' part. Because of the highly technical nature of the problem, she and some of the Commissioners cannot accept the responsibility of full understanding of the issues. Basically, she feels that the report is inadequate. It should state the Commissions' view, not the Director's nor the staff's. It should set out the specifics, then have clear statements of what must be done and who must do it. There comes a point when our integrity is in question and this is the point. Commissioner Lockhart had to weigh the conflict between keeping political peace and doing our mission, between not making the calendar deadline and the harm that it will do to people. "Business as usual" has no place in a liberal city.

Commissioner Bermudez agreed with Commissioner Lockhart's comments, and said that we have to take a strong position now. He is very concerned about what we are doing. We have to do it now and focus on it.

Commissioner Sammon reported he would like to explore the harm it will do to people if we do not proceed. He expressed concern that a substantial number of contracts that will be going out in the upcoming fiscal year. We should put additional emphasis on the proposal for a supplementary report. He does not think "supplementary" is the term we necessarily have to use. We can put in what we send to the Board of Supervisors the term "interim" with a note that we still have a great deal of evidence to look at and we are sending the report to keep the process going. The Board will be hearing again from us and we can make other statements as strong as we want to make it. This way, people will not be cut out of contracts, and we can make a forthright statement that we are not in the position to make recommendations because of the significant input of the public at the present time. At the May 24th Commission meeting, an interim report can come before us and we will be able to give full approval to the revised report.

Commissioner Pivnick endorsed Commissioner Sammon's comment. This has been

a learning process on the part of the Commissioners. Today is the day of reckoning. We do a disservice to the people who are looking to us to take an action if we do not do something now. He believes the report should be calendared and then continue to work for a change and a better ordinance.

On Commissioner Gillette's question regarding the inclusion of ethnic groups like the Asian Indians, Vicky Zimpei responded that there is generally two-step procedure. There should be both testimonial and statistical evidence. The Asian Indian group presented very compelling testimony before the Board of Supervisors' Government Operations Committee and the Committee recommended that the Asian Indians be reinstated.

Commissioner Lockhart said she agreed there is no way the technical issues in the report can be resolved in time for the deadline but she would not like to be held hostage to a deadline because in her experience, it leads us to make errors. She believed that sending the Report even if it is an interim one will put us in a very bad light.

Commissioner Kai expressed her own frustrations at the way things are going. She is concerned that there are a number of contracts that are let at the beginning of the fiscal year. Our failure to act this time frustrates those members of the community who probably should have been included in the Ordinance, who have obstacles placed in their participation that should not have been there. Whatever action we direct the Director to do is not a one time action. Personally, she is in favor of what Commissioner Sammon expressed. The transmittal letter can reflect the feelings of the Commissioners in terms of there being a split as to the adequacy of the report but that we are clear that this needs to be acted upon as close to the fiscal year as possible.

Commissioner Pivnick commented that Commissioner Bermudez' concern about not having a quorum is only a temporary answer. We can honestly say to the Board of Supervisors that two Committee meetings had been held without a quorum but a report of the Committee has been brought to this full Commission. The Commission itself may not have a quorum but is preparing and submitting the information which we have at this time plus the input from the community. A review will be made by the staff, taking the information plus the testimony as has been given in an effort to provide something more meaningful, a straight-to the-point report that the Commission can act on at its May 24th Commission meeting. That way we really do our job. Commissioners Lockhart and Sammon agreed with Commissioner Pivnick's comments.

Commissioner Kai said the Commission would request the Director to act in accordance with Commissioner Pivnick's comments. The Commissioners need to be kept closely in touch with the revisions so that input can come as far in advance as possible so that changes may be incorporated prior to the May 24th meeting.

SOCIAL ISSUES/POLICE LIAISON COMMITTEE REPORT

REPORT OF THE HEARINGS ON HATE VIOLENCE

In July, 1989, the Board of Supervisors passed Resolution 207-89-6 calling on the Mayor to request the Human Rights Commission to hold public hearings to determine the extent of hate violence in San Francisco and to design a comprehensive progam integrating the efforts of the City departments and commmunity organizations. An ad hoc subcommittee was formed consisting of representatives from the Coalition for Civil Rights with Commissioner Lucile Lockhart as Commission liaison.

Lester Olmstead-Rose, Community United Against Violence, reported that the Hate Violence Report brings to a close the hearing process started a year ago. This same report will be brought to the Coalition for Civil Rights for adoption. The report is designed to be somewhat general but there is a lot of information in it. It gives a lot of solid direction. The people actually

implementing a comprehensive hate violence program are going to work on a lot of details. The Intergroup Clearing House is being set for a take over process and will be bringing in people from the community and creating the kind of organization needed to carry on this project.

Likewise, there is a need to secure funding. The Mayor has given his word that he will help find private funding if the City cannot come through with half of the amount to keep the project going. Mr. Olmstead-Rose added that HRC has an ongoing role here and has responsibility to make sure the it gets off the ground and that it accomplishes what it is trying to do.

It was
*** M/S/C to adopt the Report of the Hearings on Hate Violence in the City and County of San Francisco.

Commissioner requested that a letter of appreciation be written to Mr. Fred Persile of the Contra Costa County Human Relations Commission. His help has been extremely valuable.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

The joint Commission/Staff workshop will be held on May 24th at the McKesson Foundation. The next regular Commission meeting will be on June 14.

STANDING COMMITTEES

EMPLOYMENT	Thursday, June 7, 1990 9:00 A.M.-11:00 A.M. Veterans Building, 401 Van Ness, Room 110B
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, May 15, 1990 5:30 P.M. Veterans Building, 401 Van Ness, Room 110B
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY ADVISORY	To Be announced
SOCIAL ISSUES/POLICE LIAISON	Tuesday, May 15, 1990 9:00 A.M. - 11:00 A.M. Room 509, 1095 Market
YOUTH AND EDUCATION	Thursday, May 17, 1990 3:30 P.M.-5:30 P.M. Commission on Aging, 6th Floor 25 Van Ness

ADJOURNMENT

The meeting was adjourned at 12:05 P.M. by Commissioner Kai.

Respectfully Submitted,

Peter M.Jamero
Executive Director
by:
Mercedita Rabel
Commission Secretary

PMJ:mr
Minutes-5/10/90

ity and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

REGULAR COMMISSION MEETING

DATE: Thursday, May 24, 1990
TIME: 9:00 A.M. - 12:00 Noon
PLACE: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

A G E N D A

I. Roll Call

II. Approval of the Minutes of May 10, 1990

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Remarks from the Audience*

VII. Standing Committees

A. MBE/WBE/LBE Advisory Committee: Commissioner May Jaber, Chair

1. Acceptance of MBE/WBE/LBE Ordinance II Progress Report and Adoption of Recommendations

B. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair

1. Follow-up action on letter to Secretary Sullivan, U.S. Department of Health and Human Services
2. Adoption of Resolution in Support of Project 10 for San Francisco Unified School District
3. Adoption of Letter to Superintendent Cortines Protesting Anti Gay Remarks

VIII. Committee of the Whole: Commissioner Karen N. Kai, Chair

1. Adoption of the Proposed Restructuring of HRC Committees

2. Adoption of Implementation Strategy for Commission Priorities

3. Plan for Commission Meetings in the Neighborhoods

IX. New Matters

X. Calendar Matters

XI. Adjournment

* Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioner's discussion of agenda items.

PMJ:mr
hrc-agen-5/24
Commissioners[18]
May 17, 1990

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM, 501
SAN FRANCISCO , CA 94102

Minutes of the Meeting of May 24, 1990

DOCUMENTS DEPT.
JUN 1 8
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

Date: Thursday, June 14, 1990
Time: 9:00 A.M.
Place: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

The meeting was called to order at 9:31 A.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, Vivian Hallinan, Karen N, Kai, Lucile Lockhart, Lawrence Martin, Isadore Pivnick, and Peter J. Sammon.

EXCUSED: May Jaber

HRC Staff

Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Bayard Fong, Jacquie Hale, Zula Jones, Shana Margolis, Intern; Nat Mason, Norm Nickens, Dick Norton, Clemente Obregon, Tina Ogawa, Intern; Mercedita Rabel, Gail Roberts, Panetta Scott, Carmen Smith, Mary Gin Starkweather, David Treanor and Pansy Waller.

Guests

Laverda Allen, Peggy Chiang, Raj Desai, Alvin Joe, Geo Kondo, Peter Lam, John O'Brien, Mara Rosales, Deputy City attorney; Rajendra Sahai, Hersh Siluja, Ace Washington, Harold Yee, and Kendall Young.

APPROVAL OF MINUTES

Commissioner Lockhart requested that the sentence "The Commission wishes to thank Lester Olmstead-Rose for his excellent work" be inserted as the second sentence of the second paragraph on Page 7. On the same page, Paragraph 6, insert "Lockhart" after "Commissioner." "Persile" should be rewritten as "Persily" and Mr. Persily should be identified as the the Director of the Contra Costa County Human Relations Commission.

On Page 6, fifth paragraph, Commissioner Gillette wanted "Native American Indians" be inserted after "like Asian Indians.." because she was questioning more than one group.

On Page 5, third paragraph, second sentence "Responding to Commissioner Kai's ....the Commission could not legally act on the recommendations...", Commissioner Kai wanted the the phrase "because of lack of a quorum" be inserted after "recommendations."

It was
*** MSC to approve the minutes of May 10, 1990.

COMMUNICATIONS

The Communications Folder was circulated among the Commissioners.

REPORT OF THE CHAIRPERSON

• Commissioner Kai reported that last Tuesday, she attended the Young Citizens Award Luncheon sponsored by Cable Car Clothiers and the San Francisco Unified School District. One of the persons responsible for that affair was Commissioner Pivnick. It was held to honor young people graduating from San Francisco high schools who have demonstrated outstanding dedication to community service. She was the keynote speaker. Commissioner Lockhart expressed admiration for Commissioner Kai's inspiring speech.

• On May 23, Wednesday, the Filipino-Americans in San Francisco Public Service held a reception in honor of Director Peter M. Jamero which was attended by Directors of most of the City's Commissions and departments, Commissioners, members of the Community, and some HRC Commissioners and staff. It was an opportunity for Director Jamero to be able to to talk about the Commission and its work and for people to show appreciation for his efforts. The reception was a very successful affair and the group that organized it did a good job in putting it together.

• The Personnel Evaluation Committee will be re activated to review the performance of the Executive Director. The members of the Committee are Commissioner Pivnick, Chair; Commissioner Lockhart and Commissioner Martin. It will meet for the first time next month. Because it is a personnel matter, it will be handled in an Executive Session.

DIRECTOR'S REPORT

• Director Jamero commended Commissioner Kai for her informative and inspiring talk at the Young Citizens Award Luncheon.

• The Economic and Social Policy Committee of the Board of Supervisors is scheduled to take up the M/WBE Ordinance II Progress Report at its meeting today. The Committee will consider the proposed amendments and may pass them on to the full meeting of the Board of Supervisors Tuesday, May 29th. The Committee felt that some of the proposals are more substantive than expected and wanted to make sure that they give each item adequate attention. As a result, the Committee may not be able to adhere to their original schedule; however, the Supervisors understand the importance of getting the item processed and will proceed accordingly.

• Commissioner Hallinan did an excellent job in taking the lead for the Commission in putting together the Civil Liberties Day celebration on May 14, 1990. The HRC has received a few letters praising her work. Commissioner Hallinan recognized the work of Jacquie Hale, Coordinator.

• Director Jamero participated in the annual meeting of the California Association of Human Relations Organizations (CAHRO) May 11- May 12 held in Fresno. He was selected to serve on the Board. The next meeting of the CAHRO will be in May, 1990 in San Diego.

• Regarding Ace Washington's request to follow up on the response from San Francisco Housing Authority (SFHA) regarding their affirmative action program, staff has made the follow-up but we have not received any formal response yet. We expect to hear from the Director of SFHA shortly.

• Mercedita Rabel, Commission Secretary, has submitted her resignation effective end of this month. We will all miss her but we also wish her well.

• HRC has not yet received any official written response regarding our budget request for the next fiscal year; however, we have been informed we got support for the $25,000 request for the SCAAP project but did not get funding for the Hate Violence Reduction program. We also got support for the data collection expansion for the M/WBE Program and the request related to cleaning up the work order budget. HRC was not asked to make cuts in budget or staff.

• At the reception given in his honor by Filipino Americans for San Francisco Public Service, Director Jamero was touched by the diversity of the turn out and the depth of appreciation he got from the group. He appreciated the kind introduction of

Commissioner Kai and the participation of Commissioners Martin and Sammon and some staff in that event.

GENERAL REMARKS FROM THE AUDIENCE

John O'Brien, San Franciscans for Welfare Reform, distributed copies of two papers on homelessness which contained a copy of his letter to the City Attorney's Office addressed specifically to Deputy Attorney Mara Rosales. It is a concern against against the San Francisco Police Department for being abusive of the citizenry especially the children. His complaint is against the police who are training children to go to bars and entrap the bar owners to sell them liquor. Section 273.F of the State Penal Code makes it a misdemeanor for anyone to send a minor child into a saloon. According to Mr. O'Brien , this program should be made illegal.

M/WBE ADVISORY COMMITTEE REPORT

Commissioner Chinn, Vice-Chair, reported that the M/WBE Ordinance II Progress Report came to the Commission without recommendations from the M/WBE Advisory Committee because of a lack of quorum at its April 19 and May 3 meetings. At the May 10 Commission meeting it was decided that the staff would work on the rewrite of the recommendations, including the recommendations culled from the public testimony at the April 26 and May 10 Commission meetings and at the two meetings of the Advisory Committee.

Director Jamero said the Progress Report and recommendations was revised to provide a more assertive tone . On the basis of the input of the May 10 Commission meeting and at the direction of the Commission, substantive changes were made. He emphasized the data has not changed. Director Jamero reported on the highlights of the changes made as stated in his memorandum of May 23, 1990. (See addendum #1)

REMARKS FROM THE PUBLIC

Harold Yee, Asian Inc., said that it was clear that the recommendations require a great deal of technical and data reanalysis. It is time for the Commission to evaluate whether or not the technical requirements of Chapter 12D as stated in the Croson decision have been met. The Commission can recommend that Chapter 12D is too technical to be implemented within the Commission. The Croson decision specifies clearly the steps, set of criteria and to some extent the magnitude of quantitative measurement required. This includes statistical tests some of which are qualitative as to which groups can be excluded or included. The test of statistical significance does not depend on the time period but on the sample size and the gap between goal and actual performance. He asked if there was enough of a sample size to measure the significance. The Commission must make a very difficult decision. Does Chapter 12D really belong to HRC? If it does, what appropriate changes must be made for it to effectively implement Chapter 12D?

Ace Washington, WAPAC, thanked the Commission and the Director for following up on his request for the response from San Francisco Housing Authority regarding their affirmative action program. He wanted to know if the members of the community and WAPAC could be provided updated information on the Report and if the public input was considered in the rewrite of the Report. Director Jamero said "yes" to both questions. Mr. Washington also asked if HRC is receiving $60,000 from the Mayor's Office Community Block Grant Program to monitor other agencies. Director Jamero said the HRC receives some funds from the Community Development Block Grant but was not sure as to the exact amount.

Peggy Chiang, Group 4/Architecture, Research and Planning, Inc. reported that the gains the Asian and Latino architectural and engineering community under its former protected certification category was snatched away upon their loss of status as MBE's under the new Ordinance. This is a graphic evidence that long standing patterns of discrimination against those minority communities cannot be erased after a comparatively short time. The statistical evidence for the six month period beginning July 1989 report is so devastating that time should not be wasted on further studies of this issue. Immediate action must be taken to re-certify Asian and Latino A&E's.

Raj Desai, Asian Indian Association, concurred with the comments made by the previous speakers. He said, if there are technical calculations to be made that HRC

staff is unable to do, there are advisory committees from the ethnic groups that can help make the calculations in any mathematical form.

Laverda Allen, Asian Indian Association, said that there are some improvements in the report and hoped that some of the issues Mr. Yee raised could be corrected. Mr. Yee had not been authorized by the Coalition for Economic Equity to recommend to anyone that the Asian Indians not be included in the Asian category. If that part of his recommendation is inaccurate, perhaps his entire recommendation is inaccurate. She would let the Commissioners make their own deliberations.

Peter Lam, Council of Asian American Business Associations, reported that after further review of the M/WBE Ordinance II Progress Report, his group found it inadequate and unacceptable. He strongly urged the Commission to recommend to the Board of Supervisors to assign goals and preferences to the Asian and Latino architects and engineers. He cited specific sections of Chapter 12D that require the Director to make timely reports and recommendations to the Commission. The Commission, after adopting the report and recommendations, shall pass them on to the Board of Supervisors to be acted upon. It is imperative that certain recommendations such as reinstating Asian and Latino goals and preferences be forwarded to the Board of Supervisors in a timely manner.

Alvin Joe, Asian American Architects and Engineers, also stressed the lack of participation from Latino and Asian architects and engineers. There is a drought in the A&E business in San Francisco. Asian and Latino A&E's are losing consulting contracts by fractions of a point because they are not MBE's. He hopes the Commission makes adequate recommendation that will set forth the inclusion of Asian and Latino architects and engineers in the MBE/WBE/LBE Ordinance II.

Kendall Young, Asian American Architects and Engineers, reported that in FY 89-90, the Asian A&E's were participating at 21.2% and hence were excluded from having preference or goals. The latest progress report by HRC shows a 6.8% participation level for Asian A & E's which is dismal and unacceptable. It is certainly well below the 25% goal. The purpose of periodic reporting is to identify areas of contracting where the City or its departments are failing to meet the participation goals. It is time for Asian A&E's to be included as a category for preference and goals.

Commissioner Lockhart said that she at first favored the transfer of the MBE/WBE work to another department. She realized subsequently that the people doing the job are qualified Civil Service employees and there is nothing wrong with them. The Commissioners have to make sure that they make some efforts to understand the technicalities of Chapter 12D.

She moved that the Commission prepare and transmit to the Board of Supervisors its own statement regarding the Ordinance and the actions that must be taken to implement it. She likes the letter prepared by the members of the Task Force. She said the Commissioners need to commit themselves to changing the situation. She would like to see a plan for the Commission to evaluate the progress of the program and report the findings to the Board of Supervisors. She also expressed the need to strengthen the M/WBE Advisory Committee. Commissioner Chinn seconded the motion.

Commissioner Martin commented that he could not understand how the Director could be separated from the Commission. The Director works for the Commission. Anything that he sends to the Board of Supervisors is from the Commission itself.

Commissioner Lockhart replied that she did not suggest a separate report but a transmittal letter that amplifies the Executive Summary. The staff has worked on the report and the Director has done his job. Her concern is that the Commissioners have remained silent and have not really expressed personal commitment to change.

Commissioner Martin said that the Commission's MBE/WBE Advisory Committee held meetings to act on the report. That was an opportunity for the Commissioners and the public to participate in the process so it could be brought back to the full Commission for action. Recommendations or proposed amendments should have been presented at that time. The Commission should not have another report simply because some Commissioners did not take the time to attend the meetings and were unable to give their input. The Commission's input should be in the Director's report.

Commissioner Graff agreed with Commissioner Martin's comments that there should be just one report instead of sending two documents to the Board of Superviosrs.

Deputy Attorney Mara Rosales explained that, technically speaking, the Progress Report is the Commission's report. After the Commission has approved the report, it can send it over to the Board of Supervisors and include whatever statement the Commissioners want in a resolution.

Commissioner Pivnick suggested that the Commission accept the Report and let the Board of Supervisors know that there will be further discussion that will be acted upon and forwarded to the Board of Supervisors as a finalized Commission report. Commissioner Martin reiterated that he would like the Commission to speak in one voice. The Director works for the Commission and whatever he sends to the Board of Supervisors is the Commission report.

Commissioner Pivnick said that the importance of Commissioner Lockhart's motion is that the Commissioners give assurance to the public that they are not sitting idly and not doing their job, that they are committing themselves to do what they can legally.

For clarification, Director Jamero stated that his May 23rd memorandum to the Economic and Social Policy Committee of the Board of Supervisors regarding the proposed amendments to the MBE/WBE /LBE Ordinance II was not included in the package submitted to the Board of Supervisors. It is an analysis requested by the Committee and is provided the Commissioners for their information. (See addendum #2)

Commissioner Lockhart wanted to reassure Commissioner Martin that whatever was sent to the Board of Supervisors, the language will be so written to make it completely clear that the Executive Summary is a Commission report. She wanted to send a message that all the responsibilities are not being left to the staff.

Commissioner Kai restated the motion. It was moved to accept the M/WBE Progress Report and send a letter of transmittal to the Board of Supervisors expressing the Commissioners' commitment to the M/WBE program and informing them that additional comments regarding the program will be transmitted to supplement the Commission's report.

There were seven "Yes" votes, two "No" votes and one abstention. Commissioner Gillette abstained because of conflict of interest. Her business is a certified MBE. The motion did not carry.

Responding to Commissioner Graff's question, Director Jamero clarified that the Executive Summary is part of the Progress Report. There was some confusion because in the document mailed to the Commissioners, the Executive Summary was separate. It is to be considered a part of the total report.

It was
*** MSC to accept the Executive Director's Report for official transmittal to the Board of Supervisors.

Ms. Rosales wanted to be sure if action was also taken on the proposed amendments. Commissioner Kai said action was taken on the amendments included in the body of the Report. The Commission, through the M/WBE Advisory Committee, will continue working on what additional actions to take and to getting input from the public. This is certainly not the end of the discussion on the M/WBE Ordinance II.

At this point, Gail Roberts , Coordinator, pointed out that it is Commission policy that the report is accepted and the recommendations are adopted. Even if the recommendations are a part of the report, the Commission should take separate actions. The Commissioners did not recall separating issues and taking separate actions. Commissioner Kai said that her understanding and the general consensus is that acceptance of the report also constitutes the adoption of the recommendations. It should be reflected in the minutes that the Commissioners agree with that interpretation.

Mr. Eddie Lao, from the Public , wanted clarification as to whether or not the May 23rd memorandum to the Economic and Social Policy Committee was a part of the package sent to the Board of Supervisors. Director Jamero stated it was not. It is a document that explains to the Board's Committee why this Commission is making the proposed amendments.

LESBIAN/GAY ADVISORY COMMITTEE REPORT

Adoption of the Resolution in Support of Project 10 Type Program for the San Francisco Unified School District

Commissioner Chinn recapped the discussion at the May 15 Lesbian/Gay Advisory Committee (L/G AC) meeting. She then called on Norm Nickens, L/G AC staff to discuss the items taken.

Norm Nickens reported that Project 10, a program existing in LA is an educational and counseling program directly targeted toward Lesbian and Gay youth. HRC is currently on record in support of the project There is a resolution introduced before the Board of Education for the adoption of a similar program in San Francisco. Both the L/G AC and the Youth and Education Committee support this program .

Responding to Commissioner Lockhart's question on Superintendent Cortines' objection to the project, Mr Nickens said there are two reasons why he objected to the project. Superintendent Cortines felt that the needs of the Lesbian and Gay youth can be met by the existing AIDS education and counseling program and he is not sure if there is sufficient funding for this type of program in San Francisco.

It was
*** MSC to adopt the resolution in support of Project 10 type program for the San Francisco Unified School District.

Adoption of the Letter to Superintendent Cortines Protesting Anti Gay Remarks

In an interview with the San Francisco Independent, Superintendent Cortines articulated his concerns regarding the Project 10 type program . In his remarks, he referred to "enticing young people as it relates to their sexual orientation." His remarks also suggest that the School District is meeting the counseling needs of lesbian, gay and bisexual youth through existing HIV/AIDS education programs. These remarks have raised grave concern with the lesbian/gay community because they appear to perpetuate homophobic and stereotypic attitude towards Lesbian/Gay counseling programs. Based on this concern, the Lesbian/Gay Advisory Committee recommended to send a letter to Superintendent Cortines with regard to his remarks as reported in the May 1, 1990 issue of San Francisco Independent and how they will be interpreted or misinterpreted by the Community. This issue was also referred to the Youth and Education Committee but comes to this Commission solely with the recommendation from the Lesbian/Gay Advisory Committee.

It was
*** MSC to send the letter to Superintendent Cortines expressing concern regarding his remarks as reported in May 1, 1990 San Francisco Independent.

Mr. Nickens reported that the issue on the Project 10 programs and the subsequent anti gay remarks by Superintendent Cortines was perceived by the Lesbian/Gay Advisory Committee to be properly before the Youth and Education Committee. The specific requests for action were referred to the Youth and Education Committee and an invited speaker made a presentation before the Committee. He was saddened by the lack of sensitivity expressed by the members of the Advisory Committee. The letter came from the Lesbian Gay Advisory Committee and referred to the Youth and Education Committee for action. There was no action taken. More than one individual on the Committee expressed concern about the remarks being viewed out of context. Mr. Nickens went on to describe two incidents that happened after the meeting. One was the homophobic remarks made by some individuals in a Muni car he took when some students were getting off 18th and Castro Streets, right in front of Mission High School. Another was the anti gay bashing at Dolores Park. The existence of the counseling programs for lesbian and gay youth, and the absence of anti gay remarks especially those coming from the Superintendent of the School District are first steps in

providing a climate so that anti gay incidents would not occur. He said he would recommend to the Lesbian/Gay Advisory Committee that if the Youth and Education Committee would continue as a standing committee, he would like a member of the lesbian/gay community be appointed to the Committee. Commissioner Pivnick said he would welcome an addition to the Youth and Education Committee.

Norm Nickens announced that today will be John Hurst's last day with the Commission. Mr. Hurst 's role in the Commission is far greater than that of a regular Intern. It is like losing a staff member.

There is another item not calendared but will be included in the next Commission meeting. It is a request for the Commission to join in the sponsorship of a demonstration on June 23 targeted towards current U.S. policies regarding HIV/AIDS infection, lack of funding, and the lack of anti-discrimination program.

Commissioner Kai reminded the Commissioners of the memorandum in the packet which was an invitation including the Commission to come by a farewell party for John Hurst from 1:30-3:00 p.m. at the HRC office, Room 509. She thanked Mr. Hurst for his contributions to the Commission.

EMPLOYMENT COMMITTEE

Commissioner Gillette, Chair, announced that the next Employment Committee meeting will be on June 7th at the War Memorial Building.

SOCIAL ISSUES/POLICE LIAISON

Commissioner Sammon, Chair,reported that the Crowd Control Manual prepared by the San Francisco Police Department has been sent to the Police Commission for its approval. All the recommendations the Social Issues/Police Liaison Committee has made to the Police Department are being reviewed. The Police Intelligence Committee has begun to meet.

Commissioner Lockhart expressed the desire to find a way for the Commission to become involved in legislative advocacy. In the discussion, it was suggested that the Committee would consider appropriate legislation it would be advised to support and do additional research with the help of the Director and Jacquie Hale, Coordinator, to determine the legislative aspects of the issues with which HRC is involved.

YOUTH AND EDUCATION COMMITTEE

Commissioner Pivnick reported that at the last Youth and Education Committee meeting on May 17, there were three speakers. Barbara Blinick spoke on the support of Project 10 type program in San Francisco. Ana Linder from San Francisco Public Library talked on Project Read, a literacy project for adults which has some implications for children. Dr. Sanford Dornbusch, Director of Stanford Center for the Study of Families, Children and Youth spoke on the academic tracking and the negative effects of early autonomy in children.

The next Committee meeting will be on Thursday, June 21 at the Commission on Aging at 25 Van Ness. The Committee will not meet in July and August and will meet again September 6.

COMMITTEE OF THE WHOLE

Commissioner Kai announced that the joint Commissioner/Staff meeting will be re-scheduled. The Commissioners will receive a questionnaire from Linda Coleman, facilitator. She urged the Commissioners to fill it in as soon as they get it and make some comments. It will help pinpoint the issues to discuss and should make the workshop more effective.

Adoption of the Proposed Restructuring of HRC Committees

Commissioner Kai summarized the recommendations made by the Chairs of the Social Issues/Police Liaison Committee, Housing and Urban Development Committee and Youth and Education Committee on how to consolidate the committees, as stated in a memorandum dated May 4, 1990.

Commissioner Graff suggested that because of short amount of time and the absence of two Commissioners (Commissioner Martin had to leave early for another meeting) the discussion for the proposed restructuring of HRC committees be tabled for the next Commission meeting.

It was
*** MSC to table the item on the proposed restructuring of the committees for the next Commission meeting.

The rest of the items under the Committee of the Whole will be tabled for the next Commission meeting.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

The next regular Commission meetings will be on June 14, 1990 and June 28, 1990.

STANDING COMMITTEES

EMPLOYMENT	Thursday, June 7, 1990 9:00 A.M. - 11:00 A.M. Veterans Bldg., 401 Van Ness, Room 110B
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, June 19, 1990 5:30 P.M.- 7:30 P.M. Veterans Bldg., 401 Van Ness Room 110B
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE COMMUNITY AND ADVISORY	To be announced
SOCIAL ISSUES/POLICE LIAISON	Wednesday, June 13, 1990 9:00 - 11:00 A.M. HRC Offices, Room 509
YOUTH AND EDUCATION	Thursday, June 21, 1990 3:30 P.M. - 5:30 P.M. Commission on Aging, 6th Fl. 25 Van Ness

ADJOURNMENT

Commissioner Kai adjourned the meeting at 11:55 A.M.

Respectfully Submitted,

Peter M. Jamero
Executive Director

by
Mercedita Rabel
Commission Secretary

PMJ:mr
Minutes-5/24/90
June 1, 1990

Office of Minority/Women Business Enterprise
Office of Contract Compliance
Office of Dispute Resolution

ADDENDUM # 2

MEMORANDUM

To: Economic and Social Policy Committee
Board of Supervisors

Date: May 23, 1990

From: Peter M. Jamero
Executive Director

Subject: Proposed Amendments to the MBE/WBE/LBE Ordinance II

HRC Recommended or Supported Amendments with Accompanying Rationale

Sec 12.D.5. "Economically Disadvantaged Business" shall mean a business whose average gross annual receipts in the three fiscal year immediately preceding its application for certification as a MBE or WBE does not exceed the following limits: (1) Public Works/Construction--((~~$14 million~~)) - $17 million; (2) Specialty Contracts--$7 million.; (3) Goods/Materials and General Services Suppliers--$2 million; (4) Professional Services--$2 million; (5) Architectural Services -- $2.5 million.

Rationale:

The definitions in the ordinance for economically disadvantaged businesses are in some cases too restrictive in terms of the dollar threshold and do not take into account the differences between the different trades and industries. For example, all suppliers are now grouped together although their gross receipts vary according to the goods that they sell.

Sec 12.D.5. Eligible Contract Dollars shall mean the dollar base against which the Citywide M/WBE goals are calculated. All Contracts are to be included in the base except for nonprofit companies that are assisted in their funding and operations by the City but which do not provide a needed City service and for payments to other governments.

Rationale:

The City Attorney has informed HRC that all contracts are to be included in the base against which the citywide M/WBE goals are calculated (with a minor exception for nonprofit companies that are assisted in their funding and operations by the City but which do not provide a needed City service and payments to other governments. All other non-profit companies are to be included in the base).

The Ordinance should clarify which dollars are to be included in the contract base against which the citywide M/WBE goals are calculated.

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

Sec 12.D.5. "Equipment and Supplies Contract" ... It shall not mean diesel fuel contracts to which the M/WBE preference is not to be applied.

Rationale:

The M/WBE preference applies to all equipment and supplies contracts except diesel fuel. However, this exemption is not easily understood from reading the Ordinance. The diesel fuel exemption should be made explicit in the Ordinance.

Sec 12.D.5. "Good Faith Efforts shall mean the specific actions undertaken by a department to obtain MBE or WBE participation ((in a contract)) as prime contractors

Rationale:

The current good faith efforts carried out by the City are too general in nature to produce the desired results. The emphasis needs to change from general advertising to specific outreach to specific forms for specific contracts or procurement areas for general services and equipment and supplies.

Sec 12.D.5. "Local Business" or "Local Business Enterprise (LBE)" shall mean a ... business that has a fully operational business functioning with only minimal support from other offices of the company.

Rationale:

The local business definition currently allows a business to open a skeletal office in San Francisco almost entirely for the purposes of obtaining the local bid preference. This appears to put businesses that have a fully functioning operation in San Francisco at disadvantage and to defeat the purpose and intent of the ordinance.

The Ordinance should tighten the definition of a local business so that firms that open an office in the City to take advantage of the bid preference would have to establish a fully operational business functioning with only minimal support from other offices of the company.

Sec 12.D.5. "Minority", "Minorities", or "Minority person" shall mean members of one of the following ethnic groups: Asians (defined as Chinese, Japanese, Koreans, Pacific Islanders, Samoans, Filipinos, Asian Indians, and Southeast Asians)

Rationale:

Asian Indians are not counted as a minority group in the current M/W/LBE Ordinance. Asian Indians should be included in the "Asian" category in the current Ordinance based on the community's compelling testimony before the Board of Supervisors' Government Operations Committee and the Committee's recommendation that they be reinstated.

Sec 12.D.5. "Owned", for purposes of determining whether business is a minority business enterprise or woman business enterprise, shall mean that the minorities or woman or combination of minorities are women as the context requires, shall possess an ownership interest of ((over fifty percent (50%))) fifty-one percent (51%) or greater.

Rationale:

The nationwide standard set by the federal government for ownership of an M/WBE is 51%. All other Bay Area jurisdictions have a 51% M/WBE ownership definition. The definition in the ordinance requires an ownership only in excess of 50%. As Bay Area jurisdictions are attempting to work cooperatively in terms of honoring each other's certifications and using the same definitions and documentation requirements, it would facilitate this effort if San Frnacisco used the same M/WBE ownership definition. The M/WBE ownership definition in the Ordinance be changed to 51%.

Sec 12.D.5. "Woman/Minority Man Business Enterprise (W/MBE" ... except that the appropriate ownership interest of the woman and the minority man equals exceeds ((over fifty percent 50%))) fifty-one percent (51%) of the business

Sec 12.D.6.(B) 1. ... the aggrieved business may reapply to the Director for certification six months after the denial or revocation except were the only reason for the denial was that the firm had not been established in San Francisco for the requisite six months. These firms are allowed to be certified when they have been established in San Francisco for the requisite six months.

Sec 12.D.6.(B)1. (6) a conspicuously displayed business sign at the San Francisco business premises except where the business operates out of residence.

Sec 12D.8.(B) 1. use good faith efforts to solicit and obtain quotes, bids or proposals from certified and registered MBEs and WBEs on all solicitations or document their unavailability.

Sec 12.D.8.(B) 2. unless otherwise indicated in this Ordinance ... extend a preference in all bids and contracts and in the composition of rating scales as follows: (1) or five percent (5%) preference to a local business ((or)) where the joint venture is composed of only local firms or (ii) a joint venture between a non local firm ((with)) and a local MBE or local WB with participation which equals or exceeds thirty-five percent (35%) but is under fifty-one percent (51%); (2) a ten percent (10%) preference to (1) on local MBE or local WBE with participation which equals or exceeds thirty-five percent (35%) but is under fifty-one percent 51%) and a local non MBE/WBE or (ii) a joint venture with local MBE or local WBE participation which equals or exceeds fifty-one percent (51%).

Rationale:

The Ordinance currently does not allow the 5% local bid preference to two local firms that enter into a joint venture to bid the City. In addition, the Ordinance currently provides no incentive to local firms to joint venture with M/WBEs at the 35% participation level as their own local status already gives them a 5% bid preference.

The Ordinance should be modified to allow the 5% local bid preference to joint ventures composed of only local firms. In addition, the preference should be modified to provide an incentive to local firms to joint venture with M/WBEs at the 35% level.

Sec 12.D.8.(B) 2. A joint venture shall receive a bid preference when the MBE or WBE ((partner)) is an active partner in the joint venture and performs work, manages the job and takes financial risks in proportion with the required level of participation stated in the bid documents and is responsible for a clearly defined portion of the work to be performed, and shares in the ownership, control, management responsibilities, risks and profits of the joint venture ... The joint venture is required to include the M/WBE in the joint venture at the level of participation stated in the bid documents whether or not the joint venture is determined to be eligible for the bid preference.

Rationale:

The joint venture provisions of the Ordinance are the subject of much abuse involving the level of participatin of the M/WBE joint venture partners. The Ordinance should clarify its intent that the M/WBE be an active partner in the joint venture and perform work, manage the job and take financial risks in proportion with the required level of participation stated in the bid documents. This includes using the M/WBE's personel and equipment to at least the stated level of participation. In addition, the Ordinance should make clear that the

joint venture is required to include the M/WBE in the joint venture at the level of participation stated in the bid documents whether or not the joint venture is determined eligible for the bid preference.

Sec 12.D.8.(B) 11. develop and submit to the director a departmental action plan by July 1, 1990 for FY90-91 and by June 1 of each year for the following fiscal year which targets specific services for increased M/WBE participation and specifies M/WBE outreach efforts in the targeted areas.

Rationale:

In order to closely monitor the move specific outreach and its results, departments should be required to prepare an annual plan to submit to both the Mayor's budget division and the HRC. The plan should require departments to target specific dollar amounts and contracts for M/WBEs, based in part on the results of the proposed contracting study and focusing especially on contracts that are not competitively bid such as emergency contracts. The departmental goal should be to consistently improved its performance record compared with prior reports.

Sec 12.D.11.(A) 9. The application of the bid preference is limited and the M/WBE goals are limited to the aforementioned professional services contracts. The LBE bid preference and the selection procedures are applicable to all consulting areas.

Rationale:

The current definition of Professional Services contracts only includes agreements for the procurement of legal, architect/engineer, computer systems, management consulting, and medical services.

This definition restricts itself to the five professional service areas where the Board of Supervisors set citywide goals to correct for the disproportion low participation of M/WBE. As a result, it is not clear whether professional services contracts in other consulting areas should receive a 5% LBE preference or if they are totally excluded from the definition of "contract" in the Ordinance. In addition, departments are apparently exempted from following the consultant selection procedures outlined in the Ordinance for these contracts.

The Ordinance should clarify its definition of professional services, limiting the bid preference and M/WBE goals to specific consulting areas, but extending the other provisions in the Ordinance such as the LBE bid preference and selection procedures to all consulting areas.

Sec 12.D.13.(A) 1. whenever the Director finds, with the advice of the contract awarding authority, that needed goods or services are available only from a sole source ((which is not a MBE or WBE,)) and the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency based on a failure to commonly with Minority or Women Business Enterprise or contract compliance requirements;

Rationale:

The Ordinance does not require a department to request a sole source waiver if the sole source contractor is an M/WBE. This has created problems of fairness as HRC cannot verify to other contractors that the contract is indeed a sole source contract and therefore should not be competitively bid. Departments should be required to request a waiver or "sole source verification" if the sole source contractor is an M/WBE.

Sec 12.D.15.(B) 2. the Director shall report to the Commission all waivers ((granted)) acted upon pursuant to section 2.D.13. Such report shall be made at the first Commission meeting following the acting upon of the waiver.

Amendments recommended by Departments

- Section 2.d.8.(E) 1. deletion of the requirement for contractors to submit a notarized affidavit attesting to their willingness to comply with the M/W/LBE Ordinance. (Purchasing)

HRC staff recommendation:

The Ordinance currently requires all contractors to submit a notarized affidavit testing to their willingness to comply with the M/W/LBE Ordinance 112D8(E1]. The purpose of the affidavit is to enable the City to collect the liquidated damages provided for in the Ordinance.

The Purchasing Department recommends deleting this requirement as too burdensome on vendors and with a benefit to the City that does not outweigh the effort vendors and the city must put forth to comply.

HRC staff recognizes the burdensome nature of the affidavit. However, the City Attorney has indicated that it is legally required in order to be able to collect liquidated damages. Therefore, HRC staff recommends that the matter should be referred to the City Attorney with request to find a less burdensome method of meeting the legal requirement.

- Inclusion of awards made to registered M/WBE in departmental goal achievement. (Purchasing)

  HRC staff recommendation:

  As the Ordinance's preferences apply only to certified vendors, the City cannot include awards made to registered M/WBs in its goal achievement. However, City departments are required to make good faith outreach efforts to registered firms.

  The Purchasing Department recommends that the City should take credit for the award of contracts to registered firms and count these awards towards the goals.

  HRC staff recommends that this should be considered in conjunction with recommendation #9 in the Summary of the Report's Recommendations. Recommednatin #9 concerns review of the impact of limiting the Ordinance to San Francisco.

- Reduction over a specified time from when a business moves out of its economically disadvantaged status. (PUC/UEB)

  HRC staff recommendation:

  UEB states that there have been discussion in the Community on the drastic or severe impact that occurs when a business moves out of its economically disadvantaged status.

  The UEB recommends that the transition should be made less drastic. The 5% preference for economically disadvantaged M/WBEs should be gradually reduced in, for example, a three step process (5%, 3.5%, 2%), based on an established number of contracts awarded within a specified time frame. HRC staff has no recommendation on this matter.

- Exclusion of awards to non-profits and contracts where the departments have received a waiver from the dollar base against which the M/WBE goals were calculated. (DSS, DPH, CAO, and Purchasing)

  HRC staff recommendation:

  Several departments made comments concerning the concept of "eligible contract dollars". The previous M/W/LBE Ordinance limited the dollar base against which the M/WBE goals were calculated to those contracts that could be won by an M/WBE. The resulting dollar amount was called the "eligible contract dollars". The concept of "eligible contract dollars" excluded from the base, for example, awards to non-profits and contracts where the department had received a waiver.

The M/WBE community felt strongly in relation to the previous Ordinance that the base should have included all City expenditures in order to give a true picture of the M/WBE share of these dollars. In part as a result of their testimony, the new Ordinance includes all contract awards in the base.

However, the departments now feel that to include all contracts in the base makes it impossible for the City to meet its goals. For example, if 90% of medical services contracts are awarded to non-profits (sometimes by law and sometimes by the nature of the contract), the City cannot meet its 40% MBE goal for medical services.

As further examples, several departments state that they frequently have to award several large contracts for which there are few bidders of any sort and sometimes none in San Francisco. They also receive waivers on contracts where no M/WBEs are available to perform the work. These sorts of contracts make it very difficult for the City to meet its goals as they are included in (and significantly raise) the base against which the goals are calculated and yet they cannot be awarded to an M/WBE even in joint venture.

In addition, the departments point out that the current goals in the Ordinance were established excluding non-profit awards from the base. Therefore, they feel that there is an inconsistency between the data now being collected and the goals.

Finally, departments complain that subcontracting dollars awarded to M/WBEs cannot be counted towards the City's goals and yet they feel that subcontracts are the only way of including M/WBEs on large (and sometimes on non-profit) contracts.

Recommendation:

HRC staff recommends that the M/W/LBE Advisory Committee convene a hearing including the departments, the M/W/LBE community and the City Attorney's Office to develop a reasonable solution to this apparent dilemma.

- Evaluation of department managers should be based on good faith efforts and not on performance in implementing the Ordinance. (DSS)

  HRC staff recommendation:

  DSS points out that, particularly in professional services contracts, the actual selection of a consultant is outside the scope of the department manager and rests with the selection panel. Therefore, the department manager should not be held responsible for the selection of the consultant, but only for fair selection procedures and good faith outreach.

DSS recommends that, while it agrees with the recommendation in the report that department manages should be evaluated based on performance in implementing the Ordinance, the evaluation should be based on good faith efforts and not on results.

HRC staff recommends that this matter should be considered in conjunction with the recommendation concerning departmental monitoring of the Ordinance.

- Report the number as well as the dollar amount of contracts awarded to M/WBEs. (DSS)

HRC staff recommendation:

DSS recommends that statistics should also be provided on the number as well as dollar amount of contracts awrded to M/WBEs.

Statistics on the number of contracts should be provided as well as statistics on the dollar amount of contracts when meaningful.

- In-depth management training of economically disadvantaged M/WBEs. (PUC/UEB)

HRC staff recommendation:

UEB deduces from the report that M/WBEs have not been successful at competitively bidding City contracts.

UEB recommends tht the City should consider in-depth training to economically disadvantaged M/WBEs in the areas of management principles, including but not limited to financing, estimating, scheduling, production and supervision.

HRC staff recommends referring this recommendation to the May's Office to explore funding and other logistical issues.

PMJ:GPR:se

[2]sdkeku

ADDENDUM #1 SUMMARY OF CHANGES TO M/WBE PROGRESS REPORT EXECUTIVE SUMMARY

- The Executive Summary was rewritten substantially to provide a context for the report, to indicate its scope, to cite selected findings, and to specify action needed. The Summary states that: "the level of reported M/WBE participation in City contracting is abyssmally now."

- The "Introduction" was rewritten to incorporate the first two paragraphs of the Summary, to explain the purpose of the Report, and to express appreciation.

- MBE/WBE Participation by Industry section was rewritten deleting the Remark: "1. The goals are not being met" and substituting a comparison of MBE/WBE performance data to availability statistics and/or MBE/WBE goals.

- The departmental "Good Faith Efforts" section was amended to incorporate at their request, the additional good faith efforts carried by the staff of several departments.

- The HRC Automated Reporting System section was amended to add "identification of contracting patterns" which had appeared in the Executive Summary of the draft. Wording changes were also made.

- The Close Out Report for 1988-1989, Appendix 1 in the draft was deleted.

- Section 7, "Recommendation for Fine-Tuning" the Ordinance was totally revised. These recommendations and those submitted separately were incorporated into two parts: amendments to the Ordinance and proposed administrative changes. The amendments to the Ordinance have been set up, according to the formate followed for legislation: double parentheses for deletion and double underlines for additions. A subset of this past were recommendations submitted by departments, but not incorporated into HRC's recommendations. Recommendations which were essentially administrative changes comprised the second part of Section 7.

- Not all recommendations included in the draft Progress Report were incorporated. For example, the proposal that the definition of economically disadvantaged business be changed by the Board of supervisors based on state and federal dollar-limits was not included as staff is in the process of research possible language changes. A new recommendation was that all waivers acted upon were to be reported to the Commission, but only the waivers granted.

PMJ:ad
[#1]GMSM
6/11/90

DATE: Thursday, July 26, 1990

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

MEMORANDUM

[AGENDA]

To: Human Rights Commissioners

Date: June 6, 1990

From: Commissioner Isadore Pivnick
Vice Chair

Subject: Special Commission Meeting in Executive Session

DOCUMENTS DEPT.
JUN 7 - 19
PUBLIC LIBRARY

EXECUTIVE SESSION

DATE: Tuesday, June 12, 1990
TIME: 9:00 AM - 1:00 PM
PLACE: Commission on Aging Offices
Conference Room, 6th Floor
25 Van Ness Avenue
San Francisco, CA 94102

AGENDA

1. Discussion of Personnel Matters

[20]SadaE
6/6/90

DATE: Thursday, July 26, 1990

ity and County of San Francisco **Human Rights Commission**

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

REGULAR COMMISSION MEETING

DATE: Thursday, June 14, 1990
TIME: 9:00 A.M. - 12:30 P.M.
PLACE: Department of Public Health
Auditorium, Room 300
101 Grove Street
San Francisco, CA 94102

AGENDA

I. Roll Call

II. Approval of the Minutes of May 24, 1990

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Remarks from the Audience*

VII. Standing Committees

A. Employment Committee: Commissioner Frankie Gillette, Chair

1. Action on Resolution to Establish Pilot Day Laborer Program
Speakers: Mauricio Aviles and Robert Rubin
2. Committee Report

B. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair

1. Endorsement of June 23 HIV Demonstration

C. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair

1. Committee Report

D. MBE/WBE/LBE Advisory Committee: Commissioner May Jaber, Chair

- No Report

E. Youth and Education Committee: Commissioner Isadore Pivick, Chair

- No Report

F. Administrative Committee: Commissioner Isadore Pivnick, Chair

- No Report

G. Housing and Urban Development Committee: Commissioner Adrian Bermudez, Jr., Chair

- No Report

VIII. Committee of the Whole: Commissioner Karen N. Kai, Chair

1. Adoption of the Proposed Restructuring of HRC Committees
2. Adoption of Implementation Strategy for Commission Priorities
3. Adoption of the Plan for Commission Meetings in the Neighborhoods
4. Adoption of Resolution of Commendation for San Francisco Connection

IX. Program Unit Reports

1. MBE/WBE Systems and Development Unit Report: Vicky Zimpel, Senior Contract Compliance Officer
2. Dispute Resolution Unit: Don Hesse, Coordinator
3. Lesbian/Gay/AIDS/Disability Unit: Norm Nickens, Coordinator
4. MB/WBE Monitoring and Employment Unit: Frank Anderson, Senior Contract Compliance Officer
5. Special Projects Unit: Adelbert Campbell, Deputy Director

X. New Matters

XI. Calendar Matters

XII. Executive Session

XIII. Adjournment

*Public comment of a general nature is limited to three minutes per speaker and 30 minutes in total. Those wishing to address the Commission are to fill out speaker cards with the Commission Secretary. At the discretion of the Chair, public comment can be heard following Commissioners' discussion of agenda items.

[191SadaE
06-08-90

ty and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, SUITE 501
SAN FRANCISCO, CA 94103

Minutes of the Meeting of June 14, 1990

DOCUMENTS DEPT.

JUL 12 1990

SAN FRANCISCO PUBLIC LIBRARY

NEXT MEETING

Date: Thursday, June 28, 1990
Time: 5:30 PM
Place: Ella Hill Hutch Community Center
1050 McAllister Street
San Francisco, CA 94115

The meeting was called to order at 9:11 AM by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

PRESENT: Adrian Bermudez Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, May Jaber, Karen N. Kai, Lucile Lockhart, Lawrence Martin, and Peter J. Sammon.

EXCUSED: Vivian Hallinan, Isadore Pivnick

HRC Staff Present
Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Jacquie Hale; Nathaniel Mason; Norman Nickens; Gail Roberts; and Panetta Scott.

APPROVAL OF MINUTES

Corrections to the minutes of May 24, 1990: Commissioner Lockhart requested that comments on page 3 concerning police investigation of alcohol sales to minors be changed to "who are alleged to be training children to go into bars." Commissioner Lockhart requested that on page 7, Report of the Social Issues/Police Liaison Committee, her comments be changed to "Commissioner Lockhart expressed the desire for the Commission to become involved in legislative advocacy." Finally, on page 8, the motion should reflect the Commission's intent to "defer" consideration of the restructuring plan, not to table indefinitely.

Commissioner Bermudez requested that in future minutes his votes/actions be recorded by name.

***M/S/P (Commissioner Bermudez voted aye) to approve the Minutes of May 24, 1990, as amended.

COMMUNICATIONS

The communications folder was circulated among the Commissioners:

- From Ms. Lora-Ellen McKinney, University of California, San Francisco, to Commissioner Pivnick, expressing appreciation for the opportunity to appear before the Youth and Education Committee.

- From Anthony J. DeLucchi, Director of Property, Real Estate Department, to Peter Jamero, Executive Director, regarding tenant improvements at 25 Van Ness.

- From Marshall Warren Krause to HRC, expressing appreciation for the Commission's participation in the observance of Civil Liberties Day, May 14, 1990.

- From Karen N. Kai, HRC, to Fred Persily, Director, Contra Costa County Human Relations Commission, expressing appreciation for his assistance with the Commission's Hearings and Report on Hate Violence.

- From Arlene M. Sauser, Chief Adult Probation Officer, to Peter Jamero, Executive Director, expressing her pleasure with a reception for the Executive Director that she attended.

-From Henry Der, Executive Director, Chinese for Affirmative Action, inviting Peter Jamero to participate in a June 16, 1990, Forum on Upward Mobility for Minority Civil Servants.

-From David Treanor, Office Manager, HRC, to staff re: temporary assignment of Anh Dao to provide clerical support to the Executive Director.

-From Louise H. Renne, City Attorney, to All Department Heads, re: Duties under the City of Refuge Ordinance.

-From David Gilmore, Executive Director, San Francisco Housing Authority, to Peter Jamero re: funding for Plaza West (renamed Robert B. Pitts Plaza). There is an affirmative action program for this project.

-From Commission Chair Karen N. Kai to Supervisor Willie B. Kennedy, thanking her for her introduction of Proposition J.

-From Commission Chair Karen N. Kai to Supervisor Harry Britt, President of the Board of Supervisors, officially transmitting the MBE/WBE Progress Report and conveying the Commission's strong commitment to HRC's forceful enforcement of the MBE/WBE/LBE

Ordinance II.

Waiver Requests Acted Upon

Waivers Granted:

1. MBE/WBE/LBE waiver for the Department of Public Health to award a $50,000 personal services contract to Peter B. Harrison, M.D., a White male, on the basis of sole source, granted 5/23/90.

2. MBE/WBE/LBE waiver for the Department of Public Health to award a $1,275,175 contract to Mental Health Management, Inc. on the basis of sole source, granted 5/23/90.

3. MBE/WBE/LBE waiver for the Department of Public Health to award a $3,149,894 contract for sub-acute locked skilled nursing services to Crestwood Hospitals, Inc., on the basis of sole source, granted 5/23/90.

4. MBE/WBE/LBE waiver for the Department of Public Health to award a 25% of net Medicare and Medi-Cal recovery contract to Withbert W. Payne, and Asian male, on the basis of sole source, granted 5/23/90.

5. MBE/WBE/LBE waiver for the Treasurer to award a $6,000 contract to Citibank of New York, on the basis of sole source, granted 5/23/90.

6. MBE/WBE/LBE waiver for the Treasurer to award a $13,000 contract to Telerate Corporation on the basis of sole source, granted 5/23/90.

7. MBE/WBE/LBE waiver for the Treasurer to award a $39,000 contract to Wismer Associates, Inc., on the basis of sole source, granted 5/23/90.

Waivers Denied:

1. MBE/WBE/LBE waiver request for the Port of San Francisco to award a $18,780 contract to the Structural Companies on the basis of public health or safety emergency, denied 4/11/90, because it was not an emergency which called for immediate repair.

2. MBE/WBE/LBE waiver request for the department of Public Works to award a $1,000 contract to Pacific Coast Trane on the basis of sole source, denied 5/23/90, because the duration of waiver exceeds one year and that it is not, in fact, a sole source.

REPORT OF THE CHAIRPERSON

Commissioner Kai reminded the Commission that she would be taking a parental leave starting August, 1990. Commissioner Pivnick will serve as acting chair. Commissioner Kai requested interested Commissioners to notify her by the next Commission meeting if they are interested in serving as acting vice-chair.

DIRECTOR'S REPORT

A response was received from the Executive Director of the San Francisco Housing Authority addressing the concerns raised before the Commission by Mr. Ace Washington. Funding for the Plaza West project appears to be primarily federal; this has been verified by Commission staff. The Commission does not monitor federally funded projects, although staff is continuing to address Mr. Washington's concerns with the Housing Authority.

The proposed move to 25 Van Ness has been postponed, and the Real Estate Department is currently exploring alternative sites.

Director Jamero and Commissioners Kai and Martin attended a press conference in the Mayor's Office announcing the release of the Mayor's Family Policy Task Force Report; the report has been previously endorsed by the Commission. Additional copies of the report are currently being printed; copies will be distributed to the Commissioners as they become available.

The hearing before the Economic and Social Policy Committee of the Board of Supervisors regarding the MBE/WBE report has not yet been rescheduled. Preparations for the next committee meeting are currently underway.

Proposition J, establishing the Commission as a charter commission, passed on the June ballot. The measure will take effect approximately 60 days from passage. The practical effect for the Commission will be to reduce the required quorum from eight to six, as of the August Commission meeting. The rate of reimbursement for Commissioner attendance at meetings has also be increased as a result of Proposition J. Commission staff is currently planning a press conference to recognize the Commission's new status as a charter commission.

A meeting is planned for Tuesday, June 19, 1990, at the Commission to discuss the proposed civil rights survey. Commissioner Graff and Commission staff will participate.

Commissioner Graff made inquires to the Director as to whether unused funds from FY 89-90 have been "rolled over" into the FY 90-91 budget. The Director indicated that the necessary steps have been taken. Commissioner Graff also asked for

Commissioners Kai and Lockhart noted that individual actions by Commissioners would be appropriate.

EMPLOYMENT COMMITTEE

Commissioner Gillette reported that as a result of the July 4th holiday, the next Employment Committee meeting would be on Tuesday, July 10, 1990. Deputy Director Campbell reported on the June Employment Committee meeting. At the June meeting, Nat Mason of the Commission staff delivered a detailed report on employment opportunities at the Moscone Center site. In addition, Angie Fa of Local 2, Hotel and Restaurant Workers Union, reported on the difficulties of organizing workers in new hotels, and the apparent lack of affirmative action programs for these hotels. Larry Chan of the Parc 55 Hotel has been invited to present at the next meeting of the Employment Committee to address concerns that were raised by Ms. Fa; these concerns include lack of an affirmative action program and allegations of Labor Code violations.

Mr. Mauricio Aviles of the Mission Hiring Hall presented to the Commission on the issue of social services for casual or day laborers. Many of these workers are subject to exploitation by contractors, including exposure to hazardous conditions and substances. Also, many of the workers are undocumented or homeless refugees. The economic and social condition of these workers is very precarious and they require targeted social services. A resolution is currently before the Board of Supervisors that calls for the establishment of a pilot day laborer program to be based at a site in the Mission. This would include the hiring of a full time coordinator to provide and coordinate social services, including employment, education, and housing. A similar program is currently in place in Los Angeles.

***M/S/P (Commissioner Bermudez voted aye, Commissioner Graff voted no) to endorse a resolution before the Board of Supervisors calling for the establishment of a pilot day laborer program, and to immediately transmit the resolution to the Board. Commissioner Graff expressed concern regarding the short period of time to consider a complex resolution, although he expressed support for the goals of the resolution. Commissioner Kai reported that as a result of Commission meeting schedules, and as a result of the time urgency in order to have the resolution considered by the Board, there was insufficient time to distribute the resolution prior to the Commission meeting. James Fields of the Commission staff also noted that there may have been some confusion as a result of the date on the resolution before the Commission; even though the resolution was dated a week prior to the Commission meeting, the resolution was not actually available until that morning.

Deputy Director Campbell was directed to immediately transmit the resolution to a Board hearing then in progress. Commissioners Kai and Gillette expressed their appreciation to Mr. Aviles for his efforts in bringing this issue before the Commission.

Commissioner Sammon noted that Mr. Aviles referred to the problems created by the employer sanctions provisions of the Immigration Reform and Control Act (IRCA), particularly as these provisions appear to have increased discrimination against some groups. He further expressed his desire that the Commission address this issue in the future. Commissioner Lockhart joined in these comments, and urged the Commission to add its voice to the fight against oppression and to consider adding expanded legislative advocacy to the activities of the Commission.

MBE/WBE/LBE ADVISORY COMMITTEE

No report.

YOUTH AND EDUCATION COMMITTEE

No report.

ADMINISTRATIVE COMMITTEE

No report.

HOUSING AND URBAN DEVELOPMENT COMMITTEE

No report.

COMMITTEE OF THE WHOLE

Commissioner Gillette requested an update on an MBE/WBE complaint involving the Department of Public Health. Nat Mason of the Commission staff reported that the complaint is currently under investigation and that a more complete report will be made at a later meeting.

Commissioner Martin proposed that the June 28, 1990, Commission meeting be held "in the community." Commissioner Martin noted that the Mayor's office has directed commissions to begin to conduct community meetings, and that some commissions have moved to implement their request. Commissioner Kai inquired as to whether Commissioner Martin wished to begin in any particular

community or neighborhood. Commissioner Martin responded with a request to hold the first community meeting in the Western Addition: Commissioner Gillette joined in this request. Commissioner Gillette made inquiry to the Director as to whether sufficient time existed to conduct the meeting on June 28. The director indicated that he believed that this was possible, although he would have to review the specific logistics with staff. Commissioner Graff also expressed concern as to whether there was sufficient time to provide adequate public notice to the community. Commissioner Lockhart noted that this would require the participation and involvement of Commissioners. Commissioner Graff requested that access to public transportation be considered in selecting the site.

Director Jamero indicated that while the Commission has been preparing plans for holding community meetings, to hold the meeting on June 28 might provide some logistical difficulties. Gail Roberts of the Commission staff noted that the first scheduled community meeting was planned for September, so as to allow for the development of a specialized agenda that would be relevant to the community involved, and to allow for targeted public outreach. Ms. Roberts indicated that the Mayor's Office has expressed their desire to be involved in the process of setting community meetings, and that logistical support is available to the Commission.

Commissioner Martin indicated that other commissions have already begun to hold community meetings, and offered his assistance in facilitating the meeting on June 28, 1990. Commissioner Lockhart inquired as to the sense of time urgency. Commissioners Martin and Gillette indicated their desire to hold the community meeting as soon as possible.

***M/S/P (Commissioner Bermudez voted aye) to hold the June 28, 1990, Commission meeting at a site in the Western Addition at 5:30 PM, if logistically possible, including the availability of a site and sufficient time for adequate public notice. If it is not logistically possible to have a community meeting in June, the July 26, 1990, Commission meeting will be held in the Western Addition.

The Commission recessed between 10:55 AM and 11:15 AM.

Update on the Airport Ad Hoc Committee: Commissioner Jaber reported that the Ad Hoc Committee has one more scheduled meeting, and that as a result of travel schedules their meeting would not be until the end of the month.

Proposed restructuring of Commission committees: Commissioner Kai referred Commissioners to the May 4, 1990, memorandum from the Executive Director regarding the restructuring of committees and to Commissioner Graff's recent response to this memo. The

memo of May 4, 1990, proposes to retain the Employment, Lesbian/Gay Advisory, Minority/Women's Business Enterprise Advisory, and Social Issues/Police Liaison Committees. Under this proposal the Administrative and Housing and Urban Development Committees would be discontinued. The Youth and Education Committee would be continued for a period of one year in order to provide transition to the Mayor's Office of Children, Youth and their Families.

Under Commissioner Graff's proposal all standing committees would be eliminated except for those mandated by ordinance; these are Lesbian/Gay Advisory and MBE/WBE Advisory.

Commissioner Lockhart expressed support for the Graff proposal, and expressed concern about focusing on separate issues through the committee structure. The effect of this is to pit subject areas against each other, instead of a subject focus the Commission should concentrate on function and Commission priorities.

Commissioner Graff reviewed the memo on May 4, 1990 and his proposal to "start with a clean slate." He noted that the Commission has a history of using ad hoc committees as needed, such as the African American Parity Committee. The use of ad hoc committees would allow the Commission to better address its current priorities, such as the revision of ordinances and the proposed civil rights survey. This would also serve to eliminate duplication of effort, and the sense that Commissioners are spending too much time involved in committees.

Commissioner Bermudez expressed concern regarding the possible loss of "collective leadership effort" through a reduction in the number of committees. The current committee structure allows for the rotation of Commissioners through various committees, and allows for exposure to a wide variety of issues and community input.

Commissioner Gillette sought clarification as to how issues would be brought from the community to the Commission under the Graff proposal. Commissioner Graff responded that an appropriate mechanism, short of a permanent standing committee, could be developed. If it appears that a more structured solution is needed, a committee on resolutions could be developed. In response to Commissioner Bermudez's concerns. Commissioner Graff noted that an ad hoc structure would also allow for a more balanced work load among Commissioners.

Commissioner Bermudez expressed further concern that an ad hoc structure would not allow for full community input and participation. Allowing for community participation only at the full Commission level would operate to limit dialogue.

Commissioner Chinn noted that a mechanism could be developed that would allow for community involvement in a more informal setting, and that would allow for greater participation by Commission members.

Commissioner Gillette noted that her terms on the Social Issues and Employment Committees have allowed her to be exposed to numerous community concerns, and given her the opportunity to raise these concerns with the full Commission. She cited the example of the situation at the Parc 55 Hotel, which was raised with the Employment Committee by Local 2, and has given the Commission the opportunity to address the issue of employment practices in the hotel industry. In addition to input to the Commission, the current committee structure allows for an education process as well.

Commissioner Jaber expressed general support for the Graff proposal, but noted the absence of an administrative committee. An administrative committee would allow the Commission to better prepare for discussions at full Commission meetings.

Commissioner Sammon noted that there are issues currently before some existing standing committees that might require their continuance for some period. He sought clarification as to participation from the public on ad hoc committees, i.e., would committees only consist of Commissioners. Commissioner Graff responded that ongoing activities could be continued by standing committees. He suggested that a broader array of mechanisms for community involvement be explored, including community meetings, town meetings, and participation of the public on ad hoc committees.

Commissioner Kai expressed concern regarding an ad hoc structure. Commissioner Kai noted that having attended meetings of all standing committees, it is important to recognize the importance of community involvement and access through the existing committee structure. The committee structure allows for more in-depth attention to be focused on particular issues. An ad hoc structure would also increase the burden on the Commission chair in setting up and monitoring a fluctuating committee structure. The current structure allows for the development of a pool of community resources for the Commission, and as demonstrated by the Hate Violence hearing this is an extremely valuable resource to the Commission. These strengths of the existing structure should not be lost.

Commissioner Lockhart noted that an ad hoc model would allow for members of various communities to address issues of particular concern to their community. This would provide both the forum and the impetus for community involvement. For example, an ad hoc committee addressing the proposed civil rights survey would have to establish extensive community contacts and allow for

utilization of community involvement to greater effect.

Commissioner Gillette joined with Commissioner Jaber in expressing concern regarding the lack of an administrative committee, and suggested that perhaps the Commission could meet as an administrative committee or in executive session in the hour prior to regularly scheduled Commission meetings.

Commissioner Kai solicited comments from staff regarding Commissioner Graff's proposal, and requested that the Executive Director solicit input from staff and report back to the Commission. Commissioner Lockhart inquired as to whether it would be appropriate for Commissioners to contact staff directly for input. Director Jamero suggested that as the proposed restructuring would impact on the work load of staff it would be appropriate for Commissioners to seek input for staff on this particular issue.

Discussion of this item will be continued at the June 28, 1990, Commission meeting.

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

The next regular Commission meeting will be on June 28, 1990, 5:30 PM - 8:30 PM, at the Ella Hill Hutch Community Center, 1050 McAllister Street, San Francisco.

STANDING COMMITTEES

EMPLOYMENT	Tuesday, July 10, 1990 9:00 - 11:00 AM Room 110-B Veteran's Bldg., 401 Van Ness Avenue
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, July 17, 1990 5:30 - 7:00 PM Room 110-B Veteran' Bldg., 401 Van Ness Avenue

SOCIAL ISSUES/ POLICE LIAISON	Tuesday, July 24, 1990 HRC, Room 509 1095 Market Street
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISE ADVISORY	To be announced
YOUTH AND EDUCATION	To be announced

ADJOURNMENT

***M/S/P (Commissioner Bermudez voted aye) to adjourn at 12:05 PM.

Respectfully Submitted,

Peter M. Jamero
Executive Director

by
Norm Nickens
Coordinator, Lesbian/Gay and AIDS Unit

PMJ:NN:nn
Minutes - 6/14/90

DATE: Thursday, July 26, 1990

ty and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

HUMAN RIGHTS COMMISSION
NEIGHBORHOOD MEETING

DATE: Thursday, June 28, 1990
TIME: 5:00 PM - 8:30 PM
PLACE: Ella Hill Hutch Community Center
1050 McAllister Street
San Francisco, CA 94115
921-6276

DOCUMENTS DEPT.
JUN 27 1990
SAN FRANCISCO

REVISED AGENDA

		Time Allocated	Time Schedule
I.	Roll Call	1 Minute	5:00 PM
I.	Executive Session (Closed session to discuss personnel matters, in accordance with California's Public Meeting Law (the Brown Act)	30	5:01 PM
E:	The meeting is open to the public for the remainder of the agenda.		
I.	Approval of the Minutes of June 14, 1990	2	5:31 PM
V.	Communications	1	5:33 PM
V.	Report of the Chairperson - Who We Are? - Why Are We Here?	15	5:34 PM
I.	Executive Director's Report	6	5:49 PM
I.	Adoption of Resolution Welcoming Nelson Mandela	3	5:55 PM
I.	Adoption of Commendation of San Francisco Connection	2	5:58 PM
IX.	Neighborhood Concerns*	60	6:00 PM
X.	Standing Committees		
	A. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair	15	7:00 PM
	1. Request for Endorsement of the Civil Rights Act of 1990		
	B. MBE/WBE/LBE Advisory Committee: Commissioner May Jaber, Chair	10	7:15 PM
	1. Adoption of MBE/WBE Advocacy Plan 2. Committee Report		

DATE: Thursday, July 26, 1990

C.	Employment Committee: Commissioner Franke Gillette, Chair	10	7:25 PM
	1. Select Committee on African American Parity Update		
D.	Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair	5	7:35 PM
	1. Action re: appointment to Youth & Education Committee 2. Adoption of Resolution Honoring Karen Thompson and Sharon Kowalski 3. Committee Report		
E.	Youth and Education Committee: Commissioner Isadore Pivnick, Chair	5	7:40 PM
	1. Committee Report		
XI.	Commission Items: Commissioner Isadore Pivnick, Vice Chair 1. Adoption of the Proposed Restructuring of HRC Committees 2. Adoption of Implementation Strategy for Commission Priorities 3. Ad Hoc Committee on Airport Monitoring Report 4. Discussion of relocating HRC offices	30	7:45 PM
XII.	New Matters	5	8:15 PM
XIII.	Calendar Matters	1	8:20 PM
XIV.	Remarks from the Audience	9	8:21 PM
XV.	Adjournment		8:30 PM

*Speakers wishing to provide community input are to fill out speaker cards with the Commission Secretary and will be called upon in the order the cards were submitted. Speakers are limited to three minutes each.

PR:se:ad

191SadaE
6-25-90

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

DOCUMENTS DEPT
OCT 11 1990
SAN FRANCISCO
PUBLIC LIBRARY

Minutes of the Meeting of Thursday June 28, 1990

NEXT MEETING

DATE: Thursday, July 26, 1990
TIME: 9:00 A.M.
PLACE: Room 300, Auditorium
Department of Public Health
101 Grove Street
San Francisco, CA 94102

The meeting was held at the Ella Hill Hutch Community Center, 1050 McAllister Street, San Francisco. The meeting was called to order at 5:10 P.M. by Commissioner Karen N. Kai, Chair.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie Gillette, Leonard Graff, Vivian Hallinan, May Jaber, karen N. Kai, Lucile Lockhart, Lawrence Martin, Isadore Pivnick, and Peter J. Sammon

HRC Staff: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, James Fields, Jacquie Hale, Linell Harden, Don Hesse, Shana Margolis (Intern), Nathaniel Mason, Norman Nickens, Tina Ogawa (Intern), Gail Roberts, Panetta Scott, Carmen Smith, David Treanor and Kevin Williams.

Guests: Julianne Malveaux, Black Leadership Forum; Shelby Campbell, S.F. Housing Authority; Betty Brooks, S.F. Housing Authority; Maxwell C. Gillette; Wilbert K. Battle, S.F. Redevelopment Agency; D. P. Martel, Captain, S.F.P.D.; Michael Serra, Commander, S.F.P.D.; Lefty Gordon, Ella Hill Hutch Center; Martha R. McClain, Recreation and Park; Mary Helen Rogers, Booker T. Washington, Ella Hill Hutch Center; Etrenne Tely, JEDC; Ace Washington, WAPAC; and Raymond Martin, Young Community Developers.

It was determined that a quorum of Commissioners was present. Commissioners went into executive session at 5:15 P.M. until 5:34 P.M. The meeting was re-convened at 5:45 P.M.

APPROVAL OF MINUTES

No minutes were available.

COMMUNICATIONS

- To Adelbert Campbell, Deputy Director, from Tyrone D. Press, Chief Investigation and Research Office of Chief Counsel, MBELDEF, a letter dated May 14, 1990, requesting that Mr. Campbell participate as a presenter at a one-day conference focusing on strategies and tactics to defend state and local MBE programs, sponsored by MBELDEF and the Lawyers' Committee for Civil Rights Under Law.

- To Peter M. Jamero, Executive Director, from Clarence N. Wood, President of the Chicago Community Trust Relations Foundation, a letter dated June 11, 1990, expressing appreciation for the helpful discussion about HRC's work.

- To Peter Jamero, Executive Director, from Commissioner Leonard Graff, a letter received June 12, 1990, giving his suggestions as to how to restructure HRC committees.

- To Larry Meredith, Ph. D., Deputy Director for Operations, Department of Public Health, from Nathan Nayman, Corporate Marketing Director at Execu-Fit, a copy of a letter dated June 14, 1990, appealing the decision of the selection of contractor for RFP No. 068-90, noting Execu-Fit is a locally and women owned business, and detailing other reasons for the appeal.

- From Commissioner Isadore Pivnick, Chair, HRC Youth and Education Committee, to Dr. Sanford M. Dornbusch, Director of the Stanford Center for the Study of Families, Children, and Youth, a copy of a letter dated June 15, 1990, thanking him for speaking to the Youth and Education Committee and inviting him to speak at the HRC's second neighborhood meeting in early fall.

- From AIDS Unit, to Commissioners and staff, a memo dated June 20, 1990, informing and inviting commissioners and staff to the HIV/AIDS March, endorsed by HRC.

- From Commissioner Isadore Pivnick, Vice Chair, to Ms. Joyce Ream, Executive Director, Commission on Aging, a letter dated June 21, 1990, thanking her for use of the Commission on Aging's conference room on June 12, 1990, and also for their cooperation and support since the October 17, 1989 earthquake.

- From Karen N. Kai, Chair, to Mayor Art Agnos, a letter dted June 21, 1990, submitting the HRC's Report on the Hearing on Hate Violence in the City and County of San Francisco. Ms. Kai expressed strong commitment in implementing the findings and recommendations of the report during the coming year.

- To Peter Jamero, Director, from Harry J. Quinn, Assistant Director of Property, Real Estate Department, a letter received June 22, 1990, informing HRC about meetings between American Savings, owner of 25 Van Ness Avenue and the building's receiver. Part of the meetings focused on HRC's planned move. As of this date, no further progress had been made as to who would be paying for the necessary build-out of HRC's proposed new space. As HRC's present site. It was successful in securing a six month lease (through December 31, 1990). The Real Estate Department is exploring two other sites, at Fox Plaza and at 8th and Market.

- From Pansy P. Waller, Contract Compliance Officer, to Adelbert Campbell, Deputy Director, a memo dated June 22, 1990, regarding Albert Electric's (DBE) contract. The company "is having serious problems with the performances and the contract in that he is failing to meet his payroll, has not finished his portion of the electrical work, and is in serious violation on the prevailing wages." In the event of a default, the office will approve whatever is necessary in order to complete the contract.

- To Peter Jamero, Executive Director, from Mary Ellen Beach, Chief, Methods and Performance Evaluation Branch, a letter received June 25, 1990, thanking him for his discussing HRC's exposure to and involvement in the 1990 Census outreach and promotional campaign.

- From Peter M. Jamero, Executive Director, to Mayor Art Agnos, a letter dated June 25, 1990, seeking support for the reclassification of four employees from Human Rights Representative, to Contract Compliance Officer I. The Civil Service Commission strongly supports the immediate reclassifications of these four individuals.

- From Peter M. Jamero, Executive Director, to Willie B. Kennedy, Member, San Francisco Board of Supervisors, a copy of a letter dated June 26, 1990, thanking her for her introduction of Proposition J, establishing the HRC as a Charter commission. Mr. Jamero stated the HRC's intention to expand HRC's effectiveness, and thanked her for her leadership.

Waiver Requests Acted Upon

Waivers Granted:

1. MBE/WBE/LBE waiver for the Port of San Francisco to award a $240,000 contract to Port Railroads Inc., a white male, to provide railroad services, on the basis of sole source, granted 6/22/90.

2. MBE/WBE/LBE waiver for the Port of San Francisco to award a $18,000 contract to Journal of Commerce, for a subscription providing specific marketing information, on the basis of sole source, granted 6/22/90.

3. MBE/WBE/LBE waiver for the Port of San Francisco to award a $20,000 contract to Trade Information Planning System, a white male, to provide specialized information regarding cargo origins/destinations, trade routes, and commodities, on the basis of sole source, granted 6/22/90.

4. MBE/WBE/LBE waiver for the Port of San Francisco to award a $10,000 contract to TF Transportation Consultants, a white male, for specialized marketing information related to railroad services, on the basis of sole source, granted 6/22/90.

5. MBE/WBE/LBE waiver for the Port of San Francisco to award a $55,000 contract to Trade Reps Ltd., a whte male, for psecific cargo marketing and promotional information, on the basis of sole source, granted 6/22/90.

6. MBE/WBE/LBE waiver for the Port of San Francisco to award a $6,000 contract to Grand World Shipping Agencies- Taipei, Taiwan, to provide information on cargo and shipping services, on the basis of sole source, granted 6/22/90.

7. MBE/WBE/LBE Waiver for the Port of San Francisco to award a $25,000 contract to Masahito Iwashita- Tokyo, Japan, to provide promotional information on the Port on shipping and cargo, on the basis of sole source, granted 6/22/90.

8. MBE/WBE/LBE waiver for the Port of San Francisco to award a $10,000 contract to Manalytics, Inc., a white male, to provide a Regional Study of Transportation Systems, on the basis of sole source, granted 6/22/90.

9. MBE/WBE/LBE waiver for the Department of Public Works to award a $190,000 contract to Data Processing and Accounting Services, for services requiring specialized machinery and proximity to City Hall, on the basis of sole source, granted 6/26/90.

REPORT OF THE CHAIR

Commissioner Karen Kai began by stating who the HRC is and why we are here. The reason for today's meeting is to make an outreach effort. The Mayor requested that City Commissions hold Commission meetings in various San Francisco neighborhoods. The Commissioners have decided that holding neighborhood meetings is an important priority. At our last meeting, it was felt very strongly that we should take steps to get ourselves out into the community and be decisive. Commissioner Kai complemented and thanked the staff for making arrangements, and getting the word out about the meeting. It was anticipated there would be a larger turnout of the community to give input to the Commission. We are here to stay committed to do community outreach and address specific concerns. This is Commissioner Kai's last meeting before going on maternity leave, she will return late October or November. Commissioner Jaber was appointed Acting Vice Chair and Commissioner Isadore Pivnick was appointed acting Chairperson. Commissioner Kai expressed confidence that they would continue to do an excellent job.

Julianne Malveaux commended the Commission for coming to the Western Addition but she could not stay because the meeting conflicted with the regularly scheduled meeting of the Black Leadership Forum. She expressed her concerns about the MBE/WBE program and the African Parity Task Force.

EXECUTIVE DIRECTOR'S REPORT

Supervisor Willie B. Kennedy's proposal to create an office of contract and Public Policy Compliance to be placed in the Mayor's Office by Charter Amendment, previously calendared, resurfaced and is scheduled to come before the Administrative and Oversight Committee on July 10, 1990. The Commission called a special Commission meeting to discuss this matter for July 5, 1990, at 9:00 A.M.

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

*** m/s/c to adopt the resoltuion with the addition of Winnie Mandela. The motion was made by Commissioner Gillette and seconded by Commissioner Lockhart.

Commendation of San Francisco Connection

*** m/s/c to adopt the resoltuion commending the San Francisco Connection, a research division within the San Francisco Main Library, for its outstanding level of services provided to the City and County of San Francisco.

Neighborhood Concerns

Lefty Gordon, Executive Director, Ella Hill Hutch Community Center, welcomed HRC to the Western Addition. He also requested that HRC adopt a resolution relative to the treatment of Dr. Louis Sullivan, Secretary of Health and Human Services for the treatment received at the National AIDS Conference. He should be commended for his fortitude, care and concern. Commissioner Pivnick stated that it should be referred to staff for development and working. Motion carried with two oppositions.

Ms. Mary Rogers asked how our affirmative action program is implemented and how may staff work on implementation. Ms. Rogers was told that we have monitoring construction contracts. She requested a copy of our A.A. Policy. a copy will be mailed to her home.

Request for Endorsement of the Civil Rights Act of 1990

Don Hesse spoke on the Civil Rights Act of 1990.

*** m/s/c to write a resolution urging the Mayor to direct the City's Federal Lobbyist to urge the Congress of the United States to pass the Civil Rights Act of 1990. The Motion was made by Commissioner Lawrence Martin, seconded by Commissioner Lucile Lockhart.

Adoption of Resolution Honoring Karen Thompson and Sharon Kowalski

*** m/s/c to adopt the resolution honoring and commending Karen Thompson and Sharon Kowalski for their leadership in making a case for the rights of domestic partners, their courage, commitment and humanity. The resolution will be to them on June 30, 1990.

Commissioner Gillette inquired about the feasibility of moving to the Filmore Center. Commissioner Lockhart requested a regular report on the move.

Commissioner Jaber recommended that an independent investigator be assigned to investigate the Airport complaint.

ADJOURNMENT

There being no further business, Commissioner Isadore Pivnick adjourned the meeting at 6:35 P.M.

Respectfully submitted,

PETER M. JAMERO, EXECUTIVE DIRECTOR
by Linell Harden,
Contract Compliance Representative

PMJ:LH:np
HRC Min-1[CORR5]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

RESOLUTION SUPPORTING ADOPTION OF THE CIVIL RIGHTS ACT of 1990

WHEREAS, THE U.S Supreme Court issued a series of decisions during its 1988-89 term that seriously limits the scope and effectiveness of civil rights protections, particularly in the field of employment; and

WHEREAS, Sen. Edward Kennedy, Rep. Augustus Hawkins and dozens of other Congressmembers have introduced the Civil Rights Act of 1990 to restore civil rights protections guaranteed to citizens before the Court's rulings; and

WHEREAS, the Civil Rights Act of 1990 would reverse the Patterson v. McLean Credit Union ruling that eroded employees' protection against racial and sexual harassment; would reverse the Wards Cove Packing Co. v. Antonio ruling weakening affirmative action plans; would reverse Price Waterhouse v. Hopkins that allows employment discrimination based "in part by prejudice"; and would reverse Lorance v AT&T Technologies which weakened worker seniority rights.

WHEREAS, the San Francisco Human Rights Commission is charged with advocating for the rights of the inhabitants of the City and County to equal opportunity in employment, housing, accommodations and services, and that passage of the Civil Rights Act of 1990 would aid immeasurably in the struggle against prejudice and discrimination,

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

RESOLUTION
Page 2

NOW, THEREFORE BE IT RESOLVED; that the San Francisco Human Rights Commission urges the Mayor to direct the City's federal lobbyist to urge the Congress of the United States to swiftly adopt the Civil Rights Act of 1990 in order to restore the civil rights protections achieved as part of decades of struggle and progress toward the goal of equal employment opportunity for all.

Resolution 8 -90
June 28, 1990

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

RESOLUTION

IN HONOR OF

KAREN THOMPSON AND SHARON KOWALSKI

WHEREAS, Sharon Kowalski and Karen Thompson form a loving Lesbian family in Minnesota, and

WHEREAS, Sharon Kowalski suffered severe, life-threatening injuries in an automobile accident in 1983, requiring several years of intensive care and institutionalization; and

WHEREAS, Karen Thompson was denied visitation rights to assist her partner in recovery because of the homophobia of family members, the health system, and the Courts; and

WHEREAS, Karen Thompson led a magnificent struggle to regain her rights to assist Sharon Kowalski in recovery, and in so doing, provided a nationally-recognized example of life-threatening discrimination against Lesbians and Gay men; and

WHEREAS, Karen Thompson and Sharon Kowalski, through tenaciousness, bravery, strength, commitment, love, and dedication, emerged victorious in their determination to win the right to be together; and

WHEREAS, Karen Thompson and Sharon Kowalski are living proof of the power of family love and support, particularly Lesbian families; and

WHEREAS, the Human Rights Commission has recognized and supported the rights of domestic partners to hospital visitation, safe housing, and equality in health care and services; and

WHEREAS, the struggle of Karen Thompson and Sharon Kowalski has advanced the cause of domestic partnership immeasurably;

THEREFORE, BE IT RESOLVED, that the Human Rights Commission extends its thanks to Karen Thompson and Sharon Kowalski for their leadership in making a case for the rights of domestic partners; and

BE IT FURTHER RESOLVED, that the Human Rights Commission honors and commends Karen Thompson and Sharon Kowalski for their courage, their commitment, their humanity, and their contribution to the human rights of all people.

Resolution 9 -90

June 28, 1990

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

RESOLUTION IN SUPPORT OF THE SAN FRANCISCO CONNECTION

WHEREAS: The San Francisco Connection has provided research assistance for City employees on work-related projects since October of 1988;

WHEREAS: The San Francisco Connection has completed research for over 160 City sub-agencies and over 370 City employees;

WHEREAS: The San Francisco Connection has provided general and technical research as well as conducting research on other City programs that might affect or be useful to San Francisco City and County;

WHEREAS: The San Francisco Connection has provided valuable research information to the Human Rights Commission for numerous projects including the Youth and Crack Cocaine Hearing, the Select Committee on African American Parity, education-related issues, and surveys on civil rights; and

WHEREAS: The San Francisco Connection's services will cease on July 31, 1990 as there are no funds designated in the FY 90-91 General Fund budget for this program.

NOW, THEREFORE, BE IT RESOLVED: That the Human Rights Commission extend a commendation to the San Francisco Connection for the outstanding level of services provided to the City and County of San Francisco; and

FURTHER, BE IT RESOLVED: That the Human Rights Commission encourages continued funding of the San Francisco Connection through public and/or private sources.

GPR:SM:bct
(Resolution in Support)BCT-3
6/11/90

Resolution 7 -90

Adopted June 28, 1990

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

RESOLUTION WELCOMING NELSON MANDELA

WHEREAS the government of South Africa's policy of apartheid systematically denies the Black majority basic human rights, freedom and justice; and

WHEREAS Nelson Mandela is a leader of the African National Congress (ANC) and was imprisoned on charges of sabotage, high treason and conspiracy to overthrow the government by violence in June 1964; and

WHEREAS Nelson Mandela fought for the freedom of his people throughout his 27 year imprisonment, and continues to do so now that he is free; and

WHEREAS the City and County of San Francisco has supported the African National Congress in its struggle against apartheid; and

WHEREAS in 1984, Proposition J passed by a decisive margin, making it City policy to remove pension funds from companies doing business with South Africa; and

WHEREAS in late 1984, anti-apartheid activists gathered at Pier 80, early every morning, to prevent the unloading of goods from shipping lines doing business with South Africa; and

WHEREAS in 1985, the Bay Area sent clothes and medical supplies, books and other items to Lusaka, Zambia for the children of the ANC in response to the plea of Momazane Xulu, a member of the women's section of the ANC; and

WHEREAS in 1986, the San Francisco Board of Supervisors unanimously adopted a South Africa Divestment Ordinance that bars City investments and contracts with companies that do business with South Africa; and the City cannot buy goods or services costing $5,000 or more from South Africa-linked companies;

NOW, THEREFORE, BE IT RESOLVED that the Human Rights Commission welcomes Nelson Mandela and his wife Winnie Mandela to the Bay Area, and commends him in his undying efforts as a leader in the struggle to abolish apartheid; and

FURTHER, BE IT RESOLVED that the Human Rights Commission condemns the racist apartheid system of South Africa and supports the South African people in their call for democracy based on a one person, one vote system, and the abolition of apartheid; and

FURTHER, BE IT RESOLVED that the Human Rights Commission urges the United States Congress to strengthen existing economic and political sanctions against the government of South Africa and urges President Bush to refrain from attempting to lift sanctions until full democracy is established.

Resolution 6- 90
Adopted June 28, 1990

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

From HRC Domestic Partner Public Hearing
March 8, 1989

8:10 p.m.

MS. WINNOW: Allison Mierzykowski.

MS. MIERZYKOWSKI: Why can't Sharon Kowalksi come home? Sharon Kowalski and Karen Thompson were in a committed, loving relationship. They had exchanged rings, bought a home together. Karen Thompson and Sharon Kowalksi considered themselves married. On November 13, 1983, Sharon Kowalski was hit by a drunk driver, receiving a brain stem injury and leaving her in a coma for some time.

Karen Thompson arrived at the Intensive Care Unit, only to be confronted by regulations defining who family was. Karen Thompson's relationship to Sharon Kowalski did not qualify as family according to the description, even though Karen Thompson was Sharon Kowalski's chosen partner. Because Karen Thompson was not family, she was denied the right to know if Sharon Kowalski, the person she loved most, was dead or alive. Because Karen Thompson was not family, Karen Thompson was unable to see Sharon Kowalski, discuss Sharon Kowalski's condition with her doctor, or get a second opinion, an opinion that may have changed the quality of Sharon Kowalski's life. Karen Thompson was not considered family by anyone other than Sharon Kowalski.

When Sharon Kowalski recovered from her coma, Karen Thompson began to work with Sharon Kowalski eight to ten hours a day. Sharon began to regain her motorization skills. Let's not put limits on Sharon Kowalski before we

Commissioner Leonard Graff raised the issue of documents that were supposed to have been mailed, but were not received. Commissioner May Jaber expressed the same concern. Commissioner Jaber inquired about the outreach efforts for this meeting.

Resolution Welcoming Nelson Mandela

A resolution was presented welcoming Mr. Nelson Mandela to the Bay Area and commending Mr. Nelson Mandela's personal efforts as a leader against apartheid. The resolution also condemned the racist apartheid system in South Africa, supported the people opposed to that system, and ask the U.S. Congress to strengthen the existing sanctions against that government. Commissioner Gillette asked that Nelson Mandela's wife Winnie be added to the resolution.

have to. Sharon Kowalski learned to communicate with a typewriter, with hand signals, to feed herself and wash herself, a woman the doctors said would be a quadriplegic for the rest of her life.

But Karen Thompson and Sharon Kowalski were separated with the discovery of the depth of their relationship. Don Kowalski eventually gained full custody of Sharon Kowalski, moved her to a nursing home the courts had previously declared unable to meet her needs, and denied Karen Thompson visitation. The courts later reduced the relationship between Sharon Kowalski and Karen Thompson to that of a landlord and tenant relationship, based on the life insurance policies Karen Thompson and Sharon Kowalski had for one another.

Sharon Kowalski was silenced. Although Sharon Kowalski regained the ability to communicate with a typewriter, her voice was never heard. Sharon Kowalski made it clear to the Minnesota Civil Liberties Union that she and Karen Thompson were gay and were lovers, that they had exchanged rings. Sharon Kowalski wanted to go home, home with Karen Thompson. This documented information was ignored. Sharon Kowalski was declared incompetent. Sharon Kowalski was never tested for competency.

If Karen Thompson and Sharon Kowalski lived under a Domestic Partnership law such as the one San Francisco is now considering, Sharon Kowalski would have gone home more than four years ago. Under this model ordinance, Domestic Partnership does not cease when one partner leaves the

shared living quarters due to illness, but intends to return. But Sharon Kowalski did not have the benefit of such a law, and for three and a half years she was denied the right to the highest quality of life, the right to proper health care, the right to association, the right to counsel of choice. Sharon Kowalski had less rights than a prisoner. Sharon Kowalski has lost the most precious time for rehabilitative care.

Today, Karen Thompson and Sharon Kowalski are able to see one another. Karen Thompson has input into Sharon's rehabilitative care, and for the present Sharon Kowalski can make her own decisions. However, this is being appealed. But if Karen Thompson and Sharon Kowalski were a recognized couple with legal rights, Sharon Kowalski would not have lost the most vital time for her recovery, and Karen Thompson and Sharon Kowalski would never have had this painful situation. Thank you.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

HUMAN RIGHTS COMMISSION
SPECIAL MEETING

DATE: Thursday, July 5, 1990
TIME: 9:00 A.M.
PLACE: War Memorial Veterans Building
Conference Room 110B
401 McAllister Street
San Francisco, CA 94102
(415) 621-6600

DOCUMENTS DEPT.
JUL 6 1990
SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

1. Roll Call
2. Action on Charter amendment establishing an Office of Contract and Public Policy Compliance
3. New Matters
4. Calendar Matters
5. Remarks from the Audience*
6. Adjournment

*Speakers wishing to speak are to fill out speaker cards with the Commission Secretary and will be called upon in the order the cards were submitted. Speakers are limited to three minutes each.

GPR:oa
(HRCsm)opaz
June 29, 1990

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET ST., ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

MINUTES OF THE SPECIAL MEETING OF

THE HUMAN RIGHTS COMMISSION OF JULY 5, 1990

The meeting was called to order by Acting Chairperson Pivnick at 9:05 a.m.

Roll call was taken and a quorum was found to be present.

Commissioners

Present: Commissioners Lenore Chinn, Frankie Jacobs Gillette, Leonard Graff, May Jaber, Karen Kai, Lucile Lockhart, Isadore Pivnick and Fr. Peter Sammon.

Excused: Commissioners Adrian Bermudez, Vivian Hallinan and Lawrence Martin.

Staff Adelbert Campbell, Deputy Director; Jacquie Hale, Don Hesse, Gail Roberts, James Fields, Panetta Scott, Jerry Davis, Clemente Obregon, Bayard Fong, and Linda Chin.

Office of Contract and Public Policy Compliance

The Acting Chair, Isadore Pivnick introduced the single agenda item which was the subject of the meeting: action on the proposed Charter amendment establishing an Office of Contract and Public Policy Compliance. A five minute recess was called to allow all the Commissioners to review the materials.

Commissioner Fr. Peter Sammon entered at 9:08 a.m.

The Commission reconvened at 9:10 a.m.

A long discusssion ensued which was focused on the issue paper from Executive Director Peter M. Jamero and some of the points raised in that paper. Commissioners felt that, regardless of what other arguments might be made against the proposed Charter amendment, they had to recognize that there was a high level of public frustration with the Commission's work in the area of M/W/LBE compliance, and these concerns must be addressed by the Commission.

Acting Director Adelbert Campbell said that he had met with Supervisor Kennedy who is the author of the amendment and that her primary motive was to bring coordination and consolidation to the functions of contract compliance in the City. She was not trying to attack the HRC although there would be a public perception that such was her intention. In response to questions from the Commissioners, Mr. Campbell said that it was not known what other City departments besides the Public Utilities Commission had Contract Compliance Officers on their staff or other persons performing those functions. It was pointed out that one of the reasons that HRC is not as effective as it could be is because of a lack of resources; but other agencies have staff who are doing the HRC's job. Consolidation and centralization of compliance monitoring under the HRC might meet everyone's needs provided the HRC can make assurances of improvement and carry through on them.

Acting Director Campbell pointed out that if the ordinance is to operate effectively, then it was necessary for there to be people in City departments who are in a better position to see that the goals of the ordinance are met.

Commissioners pointed out that the HRC needs to prepare a plan designed to increase the program's effectiveness including increased enforcement authority to assure compliance with the monitoring program. It was also suggested that the Commission evaluate the effectiveness of placing HRC staff in outstation positions as opposed to having the HRC develop a program and coordinate and monitor its implementation by the staff of other departments.

Acting Director Campbell pointed out that while departmental staff may work on M/W/LBE issues, only the HRC can monitor compliance. He also said that the Director has created a task force made up staff to develop a plan to work with departments in making the program more effective. There will be a certain amount of departmental "retooling" and training which will need to be carried out to implement any new program. He also noted that, while departments did not actively oppose implementation of the ordinance and cooperated in submitting data, they lacked commitment and interest in promoting M/W/LBE participation. The Commissioners noted that HRC had previously been focusing on individual contractors and outreach, and that we now had to shift our attention to the departments who were the source of the contracts. At the request of the commissioners, staffpersons Clemente Obregon, Bayard Fong and Linda Chin gave their impressions of the staff plan.

The Commissioners expressed concern that even though the results of the six month status report were "abysmal", staff had not developed a follow up plan to address the shortcomings. There was considerable discussion on the need for developing a task force to study the M/W/LBE ordinance and to make recommendations to the Commission, the Mayor and the Board for making the ordinance more effective. This body should have a definite mandate and timeframe. While the group can have outside people on it, and should have some of them for the insights they can provide, it must act within the structure of the HRC. Acting Director Campbell pointed out that the M/W/LBE Advisory Committee could fill that role if it could be constituted in an effective manner consistent with the legal restrictions. Some Commissioners expressed their desire to go to the Mayor with their concerns; they felt that the Director's issue paper was not strong enough and lacked specific personnel assignments and time frames. The Commission needs to go outside itself if only to address the criticism that the HRC has not been able to do the job internally after all this time.

It was noted that while the HRC has to take primary responsibility for the shortcomings of the MBE/WBE program, there are some points over which the HRC had no control. The proposed charter amendment is not a panacea and would undoubtedly taken at least a year to implement. Fr. Sammon asked that a staff report be given at the next HRC meeting on what response is being developed to the MBE/WBE report.

Concern was expressed that there was no time to create a task force; that the Commission needed to come up with a plan in a month and that the plan should include a specific itemized list of proposed actions which could be taken to Supervisor Kennedy.

It was moved by Commissioner Gillette, seconded by Commissioner Graft that:

1) a committee of staff and commissioners meet with Supervisor Kennedy to report on the results of this special meeting; and

2) that the Executive Director and appropriate staff responsible for Contract Compliance develop a positive plan of action for strenghtening the M/W/LBE monitoring program, which would include addressing some of the concerns raised at this meeting; that a report detailing such a plan of action shall be presented to the Human Rights Commission at the first meeting in September after being reviewed by the MBE/WBE Advisory Committee; and that the report shall be mailed out at least two weeks in advance of the meeting.

There was extensive discussion of the motion concerning the timeliness of the meeting with the supervisor and the action plan in the light of the pending charter amendment deadlines, the Director's current efforts in this regard, and the impact of the summer vacation schedules on meeting the timelines of the motion. Jerry Davis reported on his work with the Mayor's office to correct some of the deficiencies in the existing ordinance. Commissioners Gillette and Graff answered the questions and provided further explanation of the intent of their motion. Bert Campbell discussed the role of the commissioners in the work of the Commission and urged them to become familiar with the process of the M/W/LBE ordinance.

It was:

*m/s/c to adopt the first part of Commissioner Giullette's motion. The vote was unanimous.

*m/s/c to adopt the second part of Commissioner Gillette's motion. The vote was unanimous.

Commissioner Gillette asked that the record reflect that the plan should contain an analysis of the comparative effectiveness of M/W/LBE monitoring being done by outstation HRC staff vs. other department contract staff monitoring.

It was
*m/s/c (Gillette/Sammon) that the Human Rights Commission oppose the proposed draft charter amendment (file 187-90-1) regarding the establishment of an office of Contract and Public Policy Compliance. The vote was unanimous.

The Chair announced the following appointments to the committee to meet with Supervisor Kennedy: Commissioners Chinn, Jaber, Gillette, Martin and himself, and staff Adelbert Campbell, Jerry Davis, and others whom Acting Director Campbell thought appropriate.

Commissioner Gillette suggested that the committee go directly to Supervisor Kennedy's office to tell them of this meeting and ask to meet with her. Her suggestion was accepted.

New Matters

Acting Director Campbell called on Bayard Fong who talked about the press conference called by the Coalition for an Accurate Count of Asian Pacific Americans concerning the post census survey to be conducted by the U.S. Census Bureau to determine the statistical validity of the census count. The community was concerned that the statistical sampling would be too small to allow for a valid survey. In addition, Asians and Pacific Islanders would be included in the "white" category for purposes of the post census survey, even though the undercount of Whites has historically been less than that of Asians and Pacific Islanders. The Acting Director was directed to send a letter giving the sense of the Commission's concerns in this matter.

Commissioner Gillette announced that the Commission's letter to Nelson Mandella was presented at the reception held at the Berkeley Community Center in front crowd of 3000 by the Mayor of Berkeley.

Calendar Matters

The next meeting of the Commission will be held on July 26th.

Adjournment

It was:
*m/s/c (Graff, Jaber) to adjourn the meeting, 11:35 a.m.

Respectfully submitted,

Peter M. Jamero, Executive Director
by Don Hesse, Acting Commission Secretary

PMJ:DH:np
Min/DH(NP-51

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

HUMAN RIGHTS COMMISSION

DATE: Thursday, July 26, 1990
TIME: 9:00 AM
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street
San Francisco, CA 94102
554-2666

AGENDA

I. Roll Call

II. Approval of the Minutes of the meetings of June 14, 1990, June 28, 1990 and July 5, 1990.

III. Communications.

IV. Report of the Acting Chairperson.

A. Action on Resolution re: Sullivan Demonstration
- Lefty Gordon, Executive Director, Ella Hill Hutch Community Center
- Adela Morrison, ACT UP San Francisco
- Virginia Apodaca, Regional Manager, Office for Civil Rights, U.S. Department of Health and Human Services
- Ken Jones, Executive Director, Stop AIDS Project

V. Executive Director's Report.

VI. Standing Committees.

A. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair
1. Action on Letter re: Los Angeles County Commission on the Status of Women
2. Committee Report

B. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair
1. Committee Report

C. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair
1. Committee Report

Calendar Matters

The next meeting of the Commission will be held on July 26th.

Adjournment

VII. Commission Items: Commissioner Isadore Pivnick, Acting Chair.

A. Action on Commission Policy requiring distribution of agenda materials at least three days in advance of meeting.

B. Adoption of the Proposed Restructuring of HRC Committees.

VIII. Staff Reports

A. MBE/WBE Systems and Development Unit Indepth Report: Vicky Zimpel and Unit.

IX. New Matters.

X. Calendar Matters.

XI. Remarks from the Audience*

XII. Executive Session.
(Closed session to discuss personnel matters)

XIII. Adjournment.

* Speakers wishing to provide community input are to fill out speaker cards with the Commission Secretary and will be called upon in the order to cards are submitted. Speakers are limited to three minutes.

GPR:bct
(Reg Com Mtg)CORRES

Calendar Matters

The next meeting of the Commission will be held on July 26th.

Adjournment

ity and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

[AGENDA]

MEMORANDUM

To: HRC Commissioners, Staff and Community

Date: July 24, 1990

From: Peter M. Jamero
Executive Director

Subject: Cancellation of Regular Meeting

DOCUMENTS DEPT.

JUL 26 19..

SAN FRANCISCO
PUBLIC LIBRARY

The regular meeting of the Human Rights Commission scheduled as follows:

Thursday, July 26, 1990
9:00 AM
101 Grove Street

is cancelled due to the lack of a quorum of Commissioners.

The next regularly scheduled meeting of the Commission is set for:

Thursday, August 23, 1990
9:00 AM
101 Grove Street

According to the Commission's Rules of Procedure, the Commission meets only once in July and once in August. The Commission resumes its twice monthly meeting in September, meeting on September 13th and 27th, at 101 Grove Street.

PMJ:GPR:bct
(Cancellation of Reg. Mtg.)BCT-3

DATE: Thursday, September 13, 1990

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

SF
480
#(
8/23/90

HUMAN RIGHTS COMMISSION

DATE: Thursday, August 23, 1990
TIME: 9:00 AM
PLACE: Auditorium, Room 300
Department of Public Health
101 Grove Street
San Francisco, CA 94102
554-2666

DOCUMENTS DEPT.
AUG 21 1990
PUBLIC LIBRARY

AGENDA

I. Roll Call

II. Approval of the Minutes of the meetings of June 14, 1990, June 28, 1990 and July 5, 1990.

III. Communications.

IV. Report of the Acting Chairperson.

V. Executive Director's Report.

VI. Standing Committees.

A. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair
1. Committee Report

B. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair
1. Committee Report

C. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair
1. SCAAP update
2. Committee Report

D. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair
No Report

E. Youth and Education Committee: Commissioner Isadore Pivnick, Chair
No Report

VII. Commission Items: Commissioner May P. Jaber, Acting Vice Chair.

A. Action on Resolution re: June 24th demonstration at the International AIDS Conference

It is the intent of the Chair to request a motion to refer this item back to Committee.

No Speakers

DATE: Thursday, September 13, 1990 HRC 1990

B. Civil Rights Survey update

VIII. Staff Reports

A. MBE/WBE Systems and Development Unit Indepth Report: Vicky Zimpel and Unit.

IX. New Matters.

X. Calendar Matters.

XI. Remarks from the Audience*

XII. Executive Session
(Closed session to discuss personnel matters, in accordance with California's Public Meeting Law; the Brown Act)

XIII. Adjournment.

* Speakers wishing to provide community input are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:bct
(Reg Com Mtg)FIXED

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Meeting of Thursday, August 23, 1990

DOCUMENTS DEPT.
OCT 11 1990
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

DATE: Thursday, September 13, 1990
TIME: 9:00 A.M.
PLACE: Room 110-B
War Memorial Veterans' Building
401 Van Ness Avenue
San Francisco, CA 94102

The meeting was called to order at 9:15 A.M. by Acting Vice Chair, Commissioner May Jaber.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie Jacobs Gillette, Vivian Hallinan, May Jaber, Lucile Lockhart, Lawrence Martin, and Peter J. Sammon

Excused: Leonard Graff, Karen N. Kai, and Isadore Pivnick

HRC Staff Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Larry Brinkin; Jerry Davis; James Fields; Bayard Fong; Jacquie Hale; Don Hesse; Zula Jones; Nathaniel Mason; Norm Nickens, Richard Norton; Gail Roberts, Panetta Scott; Carmen Smith; David Treanor; Kevin Williams; and Gary Wong.

APPROVAL OF MINUTES

*** m/s/c to approve the minutes of June 14, 1990 as mailed.

Commissioner Frankie J. Gillette raised concern as to why the minutes from the June 28 and July 5 meetings were not available for review. According to Director Jamero, the Commission Secretary position has been vacant for several months, and, due to the workload of staff that have had to take on this responsibility, submittal of minutes has been delayed. These minutes will be submitted for review by the next Commission meeting.

Responsibility for taking minutes is being rotated among the five staff units.

COMMUNICATIONS

- To Commissioner Frankie Gillette, from Henry Der, Executive Director, Chinese for Affirmative Action, a letter received May 24, 1990, regarding Mr John Scott's, a member of the Employment Committee, inflammatory remarks at the July 1989 meeting of the Employment Committee.

- To Mayor Art Agnos, from Commission Chair, Karen N. Kai, a letter dated June 21, 1990, submitting the Report on the Hearings of Hate Violence.

- To Supervisor Willie B. Kennedy, from Commission Chair, Karen N. Kai, a letter dated June 25, 1990, thanking her for her introduction of Proposition J.

- To Supervisor Willie B. Kennedy, from Peter M. Jamero, Executive Director, a letter dated June 26, 1990, expressing appreciation for her introduction of Proposition J.

- To William R. Hearst, II, Editor and Publisher, SF Examiner, from Peter M. Jamero, Executive Director, a letter dated June 28, 1990, applauding Angelo Figueroa's column, "Hiding SF's True Colors."

- To Assembly Speaker Willie Brown, Jr., from Peter M. Jamero, Executive Director, a letter dated June 28, 1990, opposing any efforts to reduce state funding for services and programs vital to HRC's protected classes.

- To Barbara Grossman, Disabled Student Services, City College of SF, from Jacquie Hale, Coordinator, dated June 29, 1990 thanking her for the loan of the FM transmitter-receiver system.

- A copy of a letter to Mike Tobin, Pacific Union Commercial Brokerage, from Anthony J. DeLucchi, Director of Property, Real Estate Department, dated July 3, 1990, requesting a rental rate, full serviced, for a five-year term for space at the Fox Plaza.

- To Peter M. Jamero, Executive Director, from Assemblyman John Burton, a letter dated July 3, 1990, expressing appreciation and agreement in his concern regarding reductions of state funding for services and programs vital to the protected classes.

- To Lefty Gordon, Executive Director, Ella Hill Hutch Community Center, from Peter M. Jamero, Executive Director, a letter dated July 5, 1990, expressing appreciation for his hospitality and assistance in holding the June 28, 1990 HRC meeting in the Western Additon Community.

- To May Jaber, Commissioner, from Kent M. Lim, President, American Asian Contractors Association, a letter received July 9, 1990, expressing concern regarding the MBE/WBE program and requesting third quarter data.

- To David Werdegar, M.D., Director of Health, Department of Public Health, from Peter M. Jamero, Executive Director, a letter dated July 6, 1990, providing a chronology of HRC staff activities related to disability issues and requesting that resolution of concerns related to the ramp in the DPH auditiorium and hearing device be expedited.

- To Larry Brinkin, Sexual Orientation Discrimination Representative, from Lorri L. Jean, Board of Directors, Lambda Legal Defense and Education Fund, Inc., a letter dated July 9, 1990, thanking the HRC for its resolution and Larry Brinkin for the presentation at the reception honoring Karen Thompson and Sharon Kowalski.

- To Peter M. Jamero, Executive Director, from Larry Del Carlo, Director, Mayor's Office of Community Development, a letter received July 9, 1990, requesting HRC staff to attend a Citizen Committee on Community Development (CCCD) meeting on August 20, 1990.

- To Mayor Art Agnos, Supervisor Harry G. Britt, Board of Supervisors, and Rudy Nothenburg, Chief Administrative Officer, from Commission Chair Karen N. Kai, a letter dated July 10, 1990, transmitting the adopted copy of the MBE/WBE/LBE Ordinance II Progress Report with Recommendations and communicating the Commission's strong support for effective enforcement of the MBE/WBE/LBE Ordinance and for Affirmative Action.

- To Secretary Robert Mosbacher, Secretary of Commerce, from Adelbert L. Campbell, Deputy Director, a letter dated July 10, 1990, expressing grace concern that the Bureau of Census was planning to exclude urban American Indians and Asian/Pacific Americans from the post-enumeration survey designed to correct minority undercounts.

- To Thomas C. Bennett, Chief Editorial Writer, San Francisco Chronicle from Peter M. Jamero, Executive Director, a letter dated July 11, 1990, congratulating the Chronicle for its July 9, 1990, editorial supporting the Civil Rights Act of 1990.

- To President Bush, Senator Cranston, Senator Wilson, Senator Marks, Congressman Kopp, Speaker Brown, Assemblyman Burton, Assemblywoman Speier,

Congresswoman Boxer and Congresswoman Pelosi from Commissioner Chair Karen N. Kai, a letter dated July 12, 1990 transmitting the Resolution Welcoming Nelson Mandela and urging Congress and the President to maintain sactions against South Africa.

- To Louise H. Renne, City Attorney, from Peter M. Jamero, Executive Director, a letter dated July 13, 1990, requesting a reconsideration of the Conflict of Interest determination in order to allow the MBE/WBE/LBE Advisory Committee to appoint MBEs and WBEs as members.

- To Peter M. Jamero, Executive Director, from Byron McQuarters, Black Caucus, Harvey Milk Lesbian and Gay Democratic Club, a letter dated July 15, 1990, expressing appeciation and respect for the way Larry Brinkin, Sexual Orientation Discrimination Representative, handled a meeting between members of various Gay political organizations and the owners of the Midnight Sun Bar in the Castro District.

- A copy of a letter from Samuel D. Yockey, Controller, from John L. Taylor, Clerk of the Board, received July 16, 1990, stating that the Finance Committee had approved the release of $172,565 for data processing equipment for HRC.

- A copy of a letter to Paul Banks, Banks Dental Supply, Inc., from Sam Ho, M.D., Medical Director, Community Public Health Services, dated July 16, 1990, regarding inquiries to the Term Purchase Agreement for dental supplies in the Community Public Health Services Division.

- To Nat Mason, Human Rights Commission, from Paul Banks, Banks Dental Supply, Inc., a letter dated July 18, 1990, listing the key points agreed upon in the July 9 meeting with Dr. Sam Ho, Community Public Health Department and Nat Mason, HRC.

- To Peter M. Jamero, Executive Director, from Charis Moore and William R. Tamayo, Asian Law Caucus, received July 18, 1990, thanking him for attending the July 11, 1990 meeting and sharing information regarding racial violence in the Filipino community.

- To Peter M. Jamero, Executive Director, from Frankie Jacobs Gillette, Commissioner, a letter received July 18, 1990, expressing her pleasure with professionalism of the Employment Committee staff: Adelbert Campbell, Deputy Director, James Fields, Representative, and Tina Ogawa, Intern.

- To Chief Frank Jordan, SFPD, from Peter M. Jamero, Executive Director, a letter dated July 19, 1990, urging the Police Department to seriously investigate the mutilation of a painting that was part of the Lesbian and Gay Fine Art Exhibit on display in City Hall and to keep the Commission informed on the progress of the case.

- To Norm Karasick, Bureau of Architecture, from Peter M. Jamero, Executive Director, a letter dated July 19, 1990, transmitting a formal complaint of non-compliance under Chapter 12D.

- To Harry Parker, Director, Fine Arts Museum of San Francisco, from Peter M. Jamero, Executive Director, a letter dated July 19, 1990, transmitting a formal complaint of non-compliance under Chapter 12D.

- To Supervisor Michael Antonovich, from Peter M. Jamero, Executive Director, a letter dated August 3, 1990, expressing concern regarding the homophobic actions by Commissioner Greig of the Los Angeles County Commission for Women.

- To Peter M. Jamero, Executive Director, from Gladys Sandlin, Executive Director, and George Bachy-Rita, M.D., President, Mission Neighborhood Health Center, a letter sent by facsimile on August 3, 1990, inviting HRC staff to partake in memorial services for Clemente Obregon.

- To Commissioner Frankie Gillette, from Commissioner Karen N. Kai, Chair, a letter dated August 3, 1990, concluding that Mr. Scott's statements were slurs within the definitions of the Policy adopted by the Civil Service Commission in 1980.

- To Henry Der, Executive Director, Chinese for Affirmative Action, from Commissioner Karen N. Kai, Chair, a letter dated August 3, 1990, stating that the Human Rights Commission disassociates itself from the statements which were made by Mr. Scott of the Employment Committee.

- To Mr. John Scott, S.F. Electrical J.A. & T.C., from Commissioner Karen N. Kai, Chair, a letter dated August 3, 1990, stating that his comments at the Employment Committee meeting were derogatory in nature.

- To Louis A. Turpen, Director of Airports, S.F. International Airport, Michael p. Huerta, Director, Port of S.F., Thomas J. Elgey, General Manager, Recreation and Park Department, Marvin Geistlinger, Purchaser, Purchasing Department, Richard Evans, Director, Department of Public Works, Rudy Nothenberg, CAO, and Florence Stroud, Acting Director of Health, DPH, from Peter M. Jamero, Executive Director, a letter dated August 6, 1990, scheduling appintments to meet with the above department heads in order to work closely with one another to increase minority and women business participation as prime contractors on City contracts.

- To Peter M. Jamero, Executive Director, from Nicholas F. Forell, Forell/Elsesser Engineers, Inc., a letter received August 9, 1990, requesting that the minutes of May 10, 1990, be corrected to represent the facts and remove the "black mark" against Forell/Elsesser Engineers.

- To Peter M. Jamero, Executive Director, from Assemblywoman K. Jacqueline Speir, a letter received August 10, 1990, thanking him for his letter of concern over possible social servcie cuts in this year's budget and assures him she will renew her fight for "the needy members of our community".

- To Michael Langer, Director, Office of Citizen Complaints, from Peter M. Jamero, Executive Director, a letter dated August 10, 1990, requesting a status report of the 890 Folsom Street police action complaints.

- To Hellen Roth Dowden, Legislative Advocate, City and County of San Francisco, From Commissioner Lucele Lockhart, a letter dated August 10, 1990, requesting that Jacquie Hale, Coordinator, have the opportunity to discuss the HRC's participation in legislative advocacy.

- To Jane Morrison, President, Friend of the HRC, from Peter M. Jamero, Executive Director, a letter dated August 14, 1990, expressing appreciation to the Board of Directors of the FHRC for contributing funds which enabled Adelbert Campbell and Jerry Davis to participate in the National MBE Conference held in Washington, D.C.

- A copy of a Philippine Bulletin article dated June 28-July 11, 1990, entitled "Eugene Block Journalism Award to 22 Media Persons" regarding the controversy over David Baguirin receiving the award.

Waiver Request Granted

1) MBE/WBE waiver for the Department of Public Health to award a $100,000 contract to King American Ambulance Co., SF Ambulance Service, and Mercy Peninsula (Federal) Ambulance Service, all White males, as a sole source, granted July 18, 1990.

2) MBE/WBE waiver for the Arts Commission to award a $750,000 contract to San Francisco Symphony, as a sole source, granted July 26, 2990.

3) MBE/WBE waiver for the Department of Public Health to award a $30,000 contract to Agyarius Public Mgmt, Inc. as a sole source, granted August 3, 1990.

Waiver Request Returned

1) MBE/WBE waiver for SF Arts Commission to award contracts to Reiko Goto, Tim Collins, Gary Graham, Shelley Jurs, Carl Cheng, Vicki Sevri, and Doug Hollis has been determined to be inappropriate.

REPORT OF THE CHAIRPERSON

There was no report.

EXECUTIVE DIRECTOR'S REPORT

The Board of Supervisors' mandated City-wide budget reductions in local travel and training. The HRC's local bus travel reimbursement was cut from $1,680 to $187 and training was cut from $4,000 to $1,136. Due to State revenues cutback for all departments, there has been a recent request by the Mayor's Office for additional 2% cuts. The 2% cut for HRC $36,130.00 reductions are mainly from salary and fringe benefits. There will be a report to the Commission in December when HRC's spending pattern will provide the data to make a clear projection to year's end.

A letter was forwarded to Supervisor Ward as Chair of the Economic and Social Policy Committee several weeks ago requesting that a hearing on the MBE/WBE Progress Report be calendared for the Committee's first meeting in September (9/12/90). Supervisor Ward, during Roll Call, August 20, 1990, introduced a request for a Board of Supervisors' hearing re: 12D Progress Report. It appears that the hearing would deal with both prime and subcontracting and that the hearing might be scheduled for October.

The Civil Rights Act of 1990 has passed both houses of Congress. Because there are differences between the two bills, it will be sent to a Conference Committee. The members to the Committee will not be appointed until after Labor Day. The President continues to indicate that he will veto the bill. Letters will need to be sent to the Conference Committee members after they are named. Letters can continue to go to President Bush urging him to sign the bill. Don Hesse will be handing out information as part of the Social Issues Committee report. Copies of the bill are available from the HRC office.

It has been reported to the HRC that at a meeting of the Nominating Committee of the LA County Commission For Women, a Commissioner stated that she could not support the candidacy of Commissioner Myra Reddell because she is a Lesbian. That Commissioner was also reported to have approached another member of its nominating committee to speak to Commissioner Reddell about identifying herself as a Lesbian because it would reflect negatively on their Commission. Action by the HRC in sending a letter to the LA County Commission for Women was calendared for its July 26, 1990 meeting. In the interest of timeliness, a letter was sent by the Executive Director. The LA Board of Supervisors has acknowledged receipt of the letter.

The Human Rights Commission is now officially a Charter Commission. A quorum of Commissioners is now 6 rather than 8. Commissioners will receive $50.00 per Commission and committee meetings attended up to a maximum of two per month.

Commissioners have been provided with copies of an Employment Law update on the Americans with Disabilities Act of 1990, Federal Rights for the disabled employee.

Commissioner Lawrence Martin suggested that a small committee of the Commission meet with the Director to try and resolve the budget problems. Members are Commissioners Gillette, Lockhart and Martin depending on his schedule. A tentative meeting scheduled in the afternoon of August 23, 1990 or August 24, 1990.

Commissioner Lockhart requested follow-up on several issues as reflected in the minutes: (1) Space rental criteria; (2) Police Crowd Control Policies; and (3) Date and place of next Commission meeting in a neighborhood. According to Gail Roberts, the initial plan for the neighborhood meeting was scheduled for September 27, 1990 to be located in Bayview/Hunters Point Area. No specific location has been determined.

MBE/WBE/LBE ADVISORY COMMITTEE

Commissioner Lenore Chinn reported that committee discussion focused on the current W/MBE action plan. Nathaniel Mason reported on the Moscone Center. Frank Anderson gave an update to discuss advice to amend the W/MBE Ordinance to allow MBEs and WBEs to participate as Advisory Committee members. This change would enable the Committee to include members who could offer expert advice.

SOCIAL ISSUES/POLICE LIAISON COMMITTEE

Commissioner Peter Sammon reported that the Committee met on August 15, 1990. In attendance was the Coalition on the Homeless. The homeless testified that they are being discriminated against as a class of people. Several allegations have been made against the Police Department stating that the Police are stopping and questioning people in the City because they look homeless. The key to some of the issues is that in the California Penal Code there is a law that says no one may make use of property or rest on property without the permission of the property owners.. Since the City of San Francisco owns the majority of the City, it gives the opportunity to question people in public places. Because there was no law in San Francisco that could be utilized, the instructions had gone out to the Police captains that they were to utilize the California Penal Code in an effort to keep homeless people moving. Communication has been made with both the Police Department and the Mayor's Office asking that they investigate the matter and respond to the Committee. Follow-up response is being continued on the City of Refuge Ordinance. Special thanks to Jacquie Hale for coordinating the Hate Violence Press Conference held in City Hall. There is a March for National Health Care on September 2, 1990 begining at 1:00 P.M., Justin Herman Plaza. It is endorsed by the Board of Supervisors for the City of San Francisco.

Commissioner Lockhart commended Supervisor Hallinan for his concern while serving as Acting Mayor, as to what he may be able to do concerning the homeless.

Don Hesse reported that the Committee had met three times since the last Commission meeting. The Commission has contracted with the Intergroup Clearing House to design and implement the Hate Violence Program. The Clearing House has hired Fred Persily as consultant for three months to get the program started. Pannetta Scott is assigned to work with the implementation.

The Civil Rights Bill of 1990 has passed both Houses of Congress by comfortable margins, but not enough to overcome a Presidential veto. It is very important for people to take time to write the President not to veto this bill.

Special thanks to Commissioner Gillette and Chinese For Affirmative Action for the mail out.

Commissioner Lockhart proposed to the Social Issues Committee that the pattern of non-responsiveness be addressed.

EMPLOYMENT COMMITTEE

Commissioner Frankie Gillette reported that the Committee has continued meeting during the summer months, but will recess for the month of September and meet again in October. Special Thanks to Intern Tina Ogawa for her assistance to the Employment Committee. She has returned to Denison University in Ohio.

Committee staffer James Fields reported that a letter dated July 13, 1990 had been written to Mr. Dan King, General Manager, Hotel Parc'55 confirming the date, time and place of the August 9 Employment Committee meeting. Mr. Fields advised the Committee that a letter was received from Mr. King dated August 7, 1990. In the letter Mr. King declined to attend the August Employment Committee meeting.

Mr. Fields reported that a letter was written to Ms. Katie Quan, Manager, International Ladies' Garment Workers Union. The letter thanked Ms. Quan for her presentation at the July 10th Employment Committee meeting. Mr. Field

reported that staff had obtained copies of national and state legislation which was noted in Ms. Quan's presentation. Copies of H. R. 4496, Textile Apparel and Footwear Trade Act of 1990, and A.B. No. 3930, an Act to add Section 2673.5 to the Labor Code, relating to garment manufacturing were issued to Committee members along with the minutes of the July Employment Committee meeting.

A letter appointing Mr. Mauricio Aviles to the Employment Committee had been mailed. Mr. Aviles acknowledged receipt of the letter.

Mr. Fields reported that Employment Committee staff have identified the contract compliance agencies responsible for certain construction sites which Mr. Aviles reported on during the July meeting. Mr. Fields noted that staff would like to meet with Mr. Aviles to determine what action the Committee may wish to pursue.

Mauricio Aviles announced that Mission Hiring Hall has received a contract with San Francisco Redevelopment Agency to establish an office in the South of Market area to provide employment outreach and related services to SCAAP.

The City Controller's office has certified a payment of $5,000 for a consultant, Psycological Human Resources Corporation. As a result, the second part of the study which will include the research design in order for the reminder of the project to proceed. This is for the SCAAP Project.

LESBIAN/GAY ADVISORY COMMITTEE

Commissioner Lenore Chinn reported that the Committee met on August 22, 1990. A retreat to discuss the direction of the Committee was recently held. Consideration has been given for a retreat every six months. Other briefs focused on HRC's involvement with the resolution regarding Act-up and would like to see some resolution to the matter. The committee recommended that it be dropped. Also, Domestic Partners proposal, Police and Private Clubs and HRC's involvement as an agency was presented for information only.

YOUTH AND EDUCATION

There was no report.

*** m/s/c
To accept all committee reports.

COMMISSION ITEMS

Recommendation that the Resolution regarding Act Up as a result of the June 24th AIDS Conference be returned to the Social Issues Committee. Commissioner Martin stated that Lefty Gordon, Director of Ella Hill Hutch Community Center, who was the orginator of the Resolution be invited to participate in the process. Commissioner Bermudez suggested that the Commission could resolve the issue by following through with the recommendation of Lesbian/Gay Advisory Committee to drop the issue. The Commission should play the role of mediator.

Commissioner Martin reported that the role of the Commission is of a resolution type point of view. Therefore, the issue it should go to the Social Issues Committee to be resolved and brought back to the Commission. Commissioner Chinn stated that it should be the role of HRC to find some common ground and be the point of information for both groups where we can come together to resolve the problem.

Commissioner Gillette commented that she did not see the issue as any conflict of people, but a request for a resolution. Commissioner Martin suggested that dialogue is important for discussion. HRC is a neutral body and should find a neutral decision for this solution from the two sides- not take a decision from the Lesbian/Gay Committee. The HRC's role is to listen and suggest where both sides come to a happy medium. It should go to Committee. Commissioner Lockhart seconded the opinions of Commissioners Chinn and Martin, and made a motion to close debate on the motion to refer which seconded by Commissioner Chinn.

*** m/s/c to adopt the motion. Commissioner Gillette voted "No".

Lester Olmsted-Rose, Aide to Supervisor Alioto, commented that the process for the public has not been a good one. The July 26 Commission meeting scheduled to discuss the Resolution was cancelled due to the absence of quorum. People have been invited. The Commission has not afforded the public a solution to the problem. Please figure out the process, Mr. Olmsted-Rose urged.

Civil Rights Survey

Shana Margolis, on behalf of Commissioner Graff, reported that the survey is to assist the Commission in establishing its goals and priorities in meeting the needs of the community. The survey will look at attitudes toward Civil Rights. There is no money in the budget for the survey, but research groups will assist in the survey process. The survey should be completed within a 12 month period. We are seeking input from Commissioners as we are still in the early stages of the survey.

MBE/WBE SYSTEMS DEVELOPMENT UNIT

There was no report.

NEW MATTERS

Commissioner Martin made a motion that the next Commission meeting be held in the Asian Community. Deputy Director Adelbert Campbell endorsed the concept of community meetings, but felt there needs to be ample time to notify the Community, and suggested that the September 27 meeting be in the Community. Commissioner Martin's motion stated that we hold community meetings once a month with the next Commission meetings on September 27 held in the Asian Community. Commissioner Gillette suggested that the motion include the first monthly Commission meeting be held at 101 Grove Street, and the second meeting held in the community. The motion was seconded and carried.

Gail Roberts reported that HRC is now a Charter Commission which means that the Commission must hold meetings in an established place and time. Further research will be done for clarification of this issue.

Commissioner Martin reported that there has not been a letter of condolence sent to the family of Clemente Obregon concerning his outstanding service as a Commissioner and staff. He recomended that a letter be sent and that we should all stand for a moment of silence at the end of this meeting.

REMARKS FROM THE AUDIENCE

Dr. Eddie C. Welbon - S.F. Pastor's Council

The Commission should look into and investigate issues of racism against African Americans. There is discrimination at the Youth Guidance Center, where 90% of the Youth are African Americans. Dr. Wedbon argued that the HRC is supposed to be an oversight committee looking out for citizens on a human rights level. There is great concern as to why HRC is not doing its job. Staff member Kevin Williams once again was reassigned the San Francisco International Airport. This type of racism should not exist and we the community would like a solution to the problem.

Mr. Ralph Rogers - Rogers Trucking

Mr. Rogers has worked in San Francisco Community for 25 years and is very concerned about HRC and some of the decisions made recently. Kevin Williams has done an outstanding job at the Airport, he argued. In 1989, 2.3 million dollars worth of minority participation was given by Rogers Trucking to minority operators. Kevin Williams cares about the Community and should be reinstated at the S.F. International Airport, Mr. Rogers urged.

Lulann McGriff, President, NAACP

The Kevin Williams' issue at the Airport has still not been rectified to date. A person should not be penalized for carrying out the law. The African American Community has no faith in the Commission because Commissioners are not carrying out their charge, she argued.

Tse Ming Tam, Chinese for Affirmative Action

Chinese For Affirmative Action is asking for some type of resolution by the Commission in respect to the procedures on how committee members should conduct themselves. This issue referenced John Scott, Employment Committee member, of alleged discriminatory remarks of Asians. According to Tse Ming Tam, to say anything that is inflamatory creates an anti-whether it be Asian, Gay, Lesbian or Black does not help to promote the image of the HRC. Mr. Jamero responded that after the Commission meeting, he would meet with Mr. Tam to identify further steps that need to be addressed.

CALENDAR MATTERS

The next regular Commission meeting will be on September 13, 1990, at 9:00 A.M., Room 110-B, War Memorial Veterans' Building, 401 Van Ness Avenue.

STANDING COMMITTEES

EMPLOYMENT COMMITTEE	To be announced
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, September 18, 1990 5:30 - 7:00 P.M. Room 110 B War Memorial Veteran's Building 401 Van Ness Avenue
SOCIAL ISSUES/POLICE LIAISON	Tuesday, September 18, 1990 9:00 A.M. HRC, Room 509 1095 Market Street
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISES	To be announced
YOUTH AND EDUCATION	Thursday, September 6, 1990 3:30 P.M. 6th Floor, Conference Room Commission On Aging 25 Van Ness Avenue

Commissioner Jaber adjourned the meeting at 11:20 A.M.

Respectfully Submitted,

Peter M. Jamero
Executive Director
by Carmen Smith, Representative

PMJ:CS:np
HRC Min[CORR5]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

[NOTICE]

MEMORANDUM

TO: Human Rights Commissioners **DATE:** August 31, 1990

FROM: Commissioner May P. Jaber
Acting Vice Chair

SUBJECT: Special Meeting of the Commission

A special meeting of the Commission has been called to select a location for the Commission meeting to be held in the community on September 27, 1990. Ordinance 78-90 requires that the call and notice for an alternate Commission meeting location shall be given at least 30 days prior to the meeting. While the intent to hold a meeting in the neighborhood was announced at the August 23rd meeting of the Commission, the actual location was not publicly announced.

The City Attorney's office has informed me that were the HRC to hold a special meeting to designate the actual location, the Commission can hold its September 27th meeting at 5:30 P.M. in the community.

SPECIAL MEETING

DATE: Wednesday, September 5, 1990
TIME: 9:00 A.M.
PLACE: HRC Offices, Conference Room 509
1095 Market Street
San Francisco, CA 94103

A quorum of Commissioners must be in attendance at the September 5th meeting for action to be taken.

GPR:np
HRC Com/GPR[NP-5]

HUMAN RIGHTS COMMISSION
City and County of San Francisco
1095 Market St., Room 501
San Francisco, CA 94103
(415) 558-4901 (TDD Available)

MINUTES OF THE SPECIAL MEETING OF THE HUMAN RIGHTS COMMISSION OF SEPTEMBER 5, 1990

The meeting was called to order by Acting Vice Chair May P. Jaber at 9:15 a.m.

I. Roll Call

DOCUMENTS DEPT.
OCT 11 1990
SAN FRANCISCO
PUBLIC LIBRARY

Roll call was taken and a quorum was present.

Commissioners

Present:

Commissioners: Adrian Bermudez, Lenore Chinn, Vivian Hallinan, May P. Jaber, Lucile Lockhart, and Father Peter Sammon.

Excused:

Commissioners: Frankie Jacobs Gillette, Leonard Graff, Karen N. Kai, Isadore Pivnick, and Lawrence Martin.

Staff

Peter M. Jamero, Exeuctive Director, Adelbert Campbell, Deputy Director, Jacquie Hale, Gail Roberts, and David Treanor.

II. a. Determination of meeting location, Commission meeting of September 27, 1990.

- Commissioner Jaber explained that the purpose of this special meeting was to establish the specific site and date of the neighborhood meeting scheduled originally, at the August 23rd Commission meeting, for "somewhere in the Asian Community." A consultation with the City Attorney's Office revealed that a site as well as date needed to be included in the advance public notices. The purpose of the present special meeting of Commissioners was to vote on site location. Due to notice-time constraints, the meeting on September 27, 1990 will be designated a "special meeting" and the holding of this special meeting resolved the normal 30-day advance notice requirement.

- The two available sites for the September 25, 5:30 p.m. special Commission meeting are:

  Chinese Culture Center
  750 Kearny Street, 3rd Flr.
  San Francisco, CA 94108

  and

  Chinese for Affirmative Action
  17 Walter Lum Place
  San Francisco, CA 94108

- Commissioners raised questions about availability of parking and were assured parking at Portsmouth Square Garage was accessible from either location. Staff person Gail Roberts reported that the availability of the Chinese Culture Center is confirmed; hence the Commissioners'

XXXm/s/c to meet at the Chinese Culture Center, 5:30 p.m., Thursday, September 27, 1990. (M/S/C/ 6-0).

b. Planning for Commission Meetings in the Neighborhoods

- Director Jamero reported that staff work on neighborhood meeting preparation had begun immediately after the Commission charge to establish them. Staff discussion reviewed problem areas, e.g. the need to clarify that the meetings are to be Human Rights Commission meetings in the neighborhood, not a "community meeting" called by Human Rights Commission. Staff is operating under this assumption which has its implications for logistics, for who gets "noticed", etc. There is also a need to confirm that it is the second meeting each month which is to be a "neighborhood meeting".

- Commissioner Sammon questioned whether the community meetings, not being at a fixed location would be "special meetings", and was informed that the neighborhood meetings will be so designated by Commission resolution. Commissioner Bermudez asked if all Commission meetings will be at 5:30p.m. or the neighborhood meetings only?

- Commissioner Jaber clarified that due to Charter requirements, the first meeting each month must be at a fixed location, according to the City Attorney. The new regular meeting is to be determined, and is likely to be either the Department of Social Services Auditorium at 170 Otis Street, or at War Memorial Veterans Building at 401 Van Ness Avenue. Commissioner Bermudez asked that all meeting times be adjusted to 5:30 p.m. This will be discussed at the next Commission meeting.

- Director Jamero emphasized that conducting public notice efforts targeted to specific neighborhoods was manageable, but that "community" focused meetings would each involve expensive City-wide publicity to be properly inclusive of each "community".

- Commissioner Bermudez volunteered to contribute to the developing a 'master list' to be used for public notice. Commissioner Chinn asked that staff follow-up by phone to community groups be done to ensure the best possible turnout. Bert Campbell reminded the Commissioners that, because many organizations meet only once a month, advance notice of 60 days is desirable. He also stressed that the neighborhood input and concerns need to take precedence over routine Commission business at the monthly neighborhood meetings.

- Commissioner Lockhart reminded the Commissioners to be aware that concerns brought to the Commission at the neighborhood meetings need to be processed in a timely manner, but through the committee structure, when possible. Commissioner Sammon suggested that neighborhood groups and organizations be encouraged to invite the Commission to meet in their neighborhood. This will help to ensure appropriate response and attendance; also, a 'neighborhood' focus to the meetings emphasizes the desire to be inclusive of all groups in the neighborhood. Commissioner Hallinan suggested that the neighborhood meetings be scheduled as much as 12 months ahead to allow ample planning and notification time.

- Commissioner Jaber entertained a motion by Commissioner Lockhart seconded by Commissioner Bermudez that October's neighborhood meeting should be within the Mission neighborhood;

XXXm/s/c 6-0.

- "special meeting" will be announced at the regular Commission meeting with at least 30 days advance notice meeting the legal requirement. Director Jamero continued to relay staff concern that calling "community" meetings in the neighborhoods is problematic, because a "community" meeting in one neighborhood location may send the wrong signal to other community groups outside the neighborhood that their concerns are not equally important. Commissioner Sammon reinforced the need to have the meetings seen as "Commission meetings in the neighborhoods" with time on the agenda for neighborhood concerns, without specifying any ethnic group emphasis. This was the essence of the original charge from Mayor Agnos.
- Commissioners Jaber and Chinn stressed the need for comprehensive neighborhood outreach and asked that Commissioners be given lists of organizations notified, as well as, having the Commissioners' supply names of groups and entities to be included in neighborhood meeting public notice. Director Jamero agreed to assure that this was done. Staff person Jacquie Hale provided information on the publicity for the Western Addition special commission neighborhood meeting which was held on June 28, 1990.
- Commissioner Chinn asked Jacquie Hale about public information for the Chinatown Neighborhood Meeting on September 27. Ms. Hale identified the staff committee to be involved and gave details of the advance coverage planned for this meeting. Commissioner Lockhart suggested a summary of advance work be provided to the Commissioners. Commissioner Sammon reminded the group of the need to tightly schedule the neighborhood meetings, to facilitate maximum neighborhood input.
- Commissioner Jaber concluded by asking that the Commissions and staff be clear that the special meetings will have "neighborhood" focus. Commissioner Bermudez indicated his concern that the distinction between "neighborhood" and "community" was less important than the decision to bring the Commission meetings to the people.

III. New Matters

None

IV. Calendar Items

The next regular Human Rights Commission meeting will be:

Thursday, September 13, 1990
9:00 a.m.
War Memorial Veterans Building
401 Van Ness Avenue, Room 110B
San Francisco, CA 94102

V. Remarks from the Audience
Gail Roberts introducted Volunteer-Intern Kim Glickman.

VI. The special meeting of the Commission was adjourned by Commissioner May P. Jaber at 9:55 a.m.

Respectfully submitted:

Peter M. Jamero
Executive Director

By:

David Treanor
Acting Commission Secretary

DT:cmh:ad

(MINDT)Chita

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

DOCUMENTS DEPT.

SEP 10 1990

SAN FRANCISCO PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Thursday, September 13, 1990
TIME: 9:00 AM
PLACE: Room 110B
War Memorial Veterans' Building
401 Van Ness Avenue
San Francisco, CA 94102
621-6600

AGENDA

I. Roll Call

II. Approval of the Minutes of the meetings of June 28, 1990, July 5, 1990, August 23, 1990, and September 5, 1990.

III. Communications.

IV. Report of the Acting Chairperson.

V. Executive Director's Report.

VI. Standing Committees.

A. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair
1. Committee Report
2. Action on Conflict of Interest re: MBE/WBE Advisory Committee membership
3. Action on Moscone Expansion Project Status Report: Nat Mason

B. Youth and Education Committee: Commissioner Isadore Pivnick, Chair
1. Adoption of Resolution regarding phone calls to employees with children at home without supervision
2. Committee Priorities
3. Committee Report

C. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair
1. Committee Report

D. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair
1. Committee Report

E. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair
1. No Report

VII. Commission Items:

A. Adoption of Resolution changing the location of Commission meetings
B. Plans for Commission meetings in neighborhoods
C. Consideration of MBE/WBE Action Plan
D. Adoption of the proposed restructuring of HRC Committees.

VIII. New Matters.

IX. Calendar Matters.

X. Remarks from the Audience*

XI. Executive Session
(Closed session to discuss personnel matters, in accordance with California's Public Meeting Law: the Brown Act)

XII. Adjournment.

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:bct
(Reg Com Mtg)FIXED

HUMAN RIGHTS COMMISSION

September 13, 1990

The Minutes of this meeting are missing.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

M E M O R A N D U M

HUMAN RIGHTS COMMISSION

SPECIAL MEETING

DOCUMENTS DEPT.

SEP 24 1990

PUBLIC LIBRARY

DATE: Thursday, September 27, 1990
TIME: 5:30 PM - 7:30 PM
PLACE: Third Floor Meeting Room
Chinese Cultural Center
Holiday Inn
750 Kearny Street
San Francisco, CA 94108
986-1822

AGENDA

	Allocated Time	Time Schedule
I. Roll Call	1 Minute	5:30 PM
II. Approval of the Minutes of the meetings of June 28, 1990, September 5, 1990, and September 13, 1990	4 Minutes	5:31 PM
III. Communications	1 Minute	5:35 PM
IV. Report of the Acting Chairperson.	15 Minutes	5:36 PM
- Who We Are?		
- Why Are We Here?		
V. Executive Director's Report.	9 Minutes	5:51 PM
VI. Neighborhood Concerns	60 Minutes	6:00 PM
VII. Standing Committees		
A. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair	20 Minutes	7:00 PM
1. Action on Resolution re: June 24th demonstration at the International AIDS Conference.		
2. Committee Report		

B.	Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair	5 Minutes	7:20 PM
	1. Approval of letters 2. Committee Report		
C.	MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair	0	7:25 PM
	1. No Report		
D.	Employment Committee: Commissioner Frankie Jacobs Gillette, Chair	0	7:25 PM
	1. No Report		
E.	Youth and Education Committee: Commissioner Isadore Pivnick, Chair	0	7:25 PM
	1. No Report		
VIII.	New Matters	1 Minute	7:25 PM
IX.	Calendar Matters	1 Minute	7:26 PM
X.	Remarks from the Audience*	3 Minutes	7:27 PM
XI.	Adjournment		7:30 PM

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:bct
(Reg Com Mtg)FIXED

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

Minutes of the Special Meeting of Thursday, September 27, 1990

NEXT MEETING

DOCUMENTS DEPT.
OCT 18 1990
PUBLIC LIBRARY

DATE : Thursday, October 11, 1990

TIME : 9:00 A.M.

PLACE: Department of Social Services Auditorium
170 Otis Street
San Francisco, CA

The meeting was held at the Chinese Culture Center, 750 Kearny Street, San Francisco. The meeting was called to order at 7:35 P.M. by Acting Vice Chair, Commissioner May P. Jaber.

Roll call was taken and a quorum was determined to be present.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr.; Leonore Chinn; Frankie Jacobs Gillette; Leonard Graff; Vivian Hallinan; May P. Jaber; and Peter J. Sammon

Excused: Karen N. Kai; Lucille Lockhart; Lawrence B. Martin; and Isadore Pivnick

HRC Staff

Present: Adelbert Campbell, Deputy Director; Frank Anderson; Larry Brinkin; Paula Brantner (Intern); Linda Chin; Bayard Fong; James Fields; Cynthia Goldstein; Don Hesse; Carolyn Hom; Ed Ilumin; Veronica Ng; Dick Norton; Jaime Peckham (Intern); Gail Roberts; David Treanor; and Gary Wong

Guests

Alice Kwong, Chinatown Worker Resource Project; Yee-hou Chan, World Journal; Barry Lau, Asian Neighborhood Design; Lorraine Lowe, Asian Neighborhood Design; Helen Lim, Asian Neighborhood Design; Gregory Leung, Chinese American Alliance; George Choy, Gay Asian Pacific Alliance; Ming-Yeung Lu, Community United Against Violence/GAPA; Ken Jones L/GAC; N. Safadi, PRO-Park Merced; Teresa Canion, District 7 Democratic Club; Tse Ming Tam, CAA; Vitus Leung, CAA; Victoria Woo, Sino Broadcasting Corp.; Randy Chan, Sino Broadcasting Corp.; Eddy Lau, CAABA, Espanola Jackson, Dist. 7 Democratic Club; Willie Bill McDowell, Dist. 7 Democratic Club/WHGS Youth, Inc.; Philip Choi, KTSF-26

APPROVAL OF MINUTES

Commissioner Gillette inquired if her set of minutes dated September 27, were the minutes for September 13. Gail Roberts, HRC Coordinator indicated that the minutes were for September 13, 1990. Commissioner Gillette had corrections for the minutes of September 13 as follows:

- On page 1, under Approval of Minutes, Commissioner Gillette did not "inquired as to why there appeared to be a delay in preparing and distributing minutes to the Commissioners" but, rather, she expressed her "dissatisfaction with the fact that the minutes were not being received" and the minutes for June 28 were not that available at the August 23 HRC meeting. All minutes should be received three days in advance of the meeting.

- On page 2, the first paragraph, the Executive Director "sought clarification from the Commission" should be the Executive Director sought "input from the Commissioners".

-On page 2, the second paragraph, the maker of the motion should be identified and this should be done in this particular paragraph.

-On page 2, the third paragraph, beginning with "On page 9" Commissioner Gillette would like to see her summary of actions given in response to CAA's request to resolve the issue.

-On page 6 of the minutes, third paragraph from the last, in reference to "Commissioner Gillette sought clarification as to the relationship between the MBE/WBE/LBE and Lesbian/Gay Advisory Committees as established in Article 12A" Commissioner Gillette did more than ask for "clarification". She questioned the wording and recommended the wording of Section 1B of the proposed ordinance amendment be reworded to state "the special committee comprised of members or representatives of the Lesbian/Gay community is intended to be a separate committee with its own agenda not dealing with the interests of the MBE/WBE as it is implied by the way it is written".

*** m/s/c moved (Graff), seconded (Bermudez), to approve the minutes of June 28, 1990 and September 5, 1990, as mailed and of September 13, 1990, as amended.

Acting Chair Jaber requested that staff make the changes and send a new set of the September 13, 1990 minutes to the Commissioners.

Commissioner Sammon discussed the option of having a one page sheet listing all the corrections for the minutes. Commissioner Gillette was concerned that a sheet may become detached. She recommended that the original minutes be "destroyed" and a corrected set of minutes be placed in the official file.

COMMUNICATIONS

- To Commisioner Karen N. Kai, from Paul D. Banks, Banks Dental Supply, Inc., a letter received August 31, 1990, lodging a complaint of retaliation against Banks Dental Supply and asserting that the resolution agreed with Dr.Sam Ho, M.D. Medical Director, Community Public Health Services of the Department of Public Health, that his company would be provided the opportunity to do business with DPH and that there be no retaliation against his company.

- To City Department Managers, from Michael P. Huerta, Executive Director, Port of San Francisco, a letter received August 31, 1990, regarding a fall program of public tours of the Port publicizing the Porte's shipping operations and the diversity of industries along the Waterfront.

- To Human Rights Commissioners, from Jane Morrison, Chair, Friends of the Human Rights Commission, a letter received September 11, 1990, urging the Human Rights Commission to continue the standing committee structure.

- To Peter M. Jamero, Executive Director, from Jim Morales, Staff Attorney, National Center for Youth Law, a letter received September 17, 1990 inquiring as to the status of HRC's plans to draft regulations pertaining to the City's fair housing law and enclosing relevant portions of the recently adopted Residence Element.

- To Mayor Art Agnos, from Espanola Jackson, President, District 7 Democratic Club, a letter received September 18, 1990, regarding the leadership of the Human Rights Commission, its impact upon the Black Community, and discrimination alledged to be rampant in City departments.

Waiver Request Granted

1) MBE/WBE Waiver for the Department of Parking and Traffic to award a $9,800 Contract to Lockheed Information Management Services, Co., as a sole source, granted September 11, 1990.

2) MBE/WBE Waiver for the Arts Commission to award a $5,514 Contract to San Francisco State University, as a sole source, granted September 18, 1990.

REPORT OF THE ACTING CHAIRPERSON

Acting Vice Chairperson Jaber presented a report describing the Human Rights Commission's role and responsibilities as a San Francisco City agency. In addition, she clarified why the Human Rights Commission was meeting in a neighborhood setting. The Human Rights Commission is composed of 11 commissioners, appointed by the Mayor for 4 year terms, setting policy to be administered by the Executive Director through his staff.

The Commission's mission statement is: "The Human Rights Commission is the preeminent San Francisco agency providing leadership and advocacy to secure, protect, and promote human rights for all people".

There are 35 staff, all who are City employees generally hired through Civil Service, meaning that staff had to pass a written and/or oral exam for their jobs. Of the 11 Commissioners, nine were appointed by Mayor Agnos in November 1988. The Executive Director is Peter M. Jamero.

HRC is responsible for:

- Enforcing nondiscrimination and promoting affirmative action in employment on City and County contract;

- Monitoring the implementation of the Minority/Women/Local/Business Enterprise Ordinance and promoting the use of MBEs and WBEs on City and County contracts;

- Investigating complaints of discrimination in S.F. based on sexual orientation and AIDS/ARC;

- Investigating violations of S.F.'s City of Refuge Ordinance;

- Developing a city-wide program of hate violence reduction; and

- Promoting human relations activities, conciliating inter-group tensions and mediating inter-group disputes.

The Human Rights Commission will be holding its second meeting of the month in various neighborhood of the City so the communities can observe the Commission at work and voice community concerns.

EXECUTIVE DIRECTOR'S REPORT

Adelbert Campbell, Deputy Director, gave the Executive Director's report because Peter M. Jamero, HRC Director, was ill and unable to attend the meeting. The Executive Director and staff are are working on a presentation to the of the Board of Supervisors. The report will include preliminary departmental MBE/WBE data for the third and fourth quarters of FY 89-90 as well as data for the first six months.

The current update on the HRC office move is that the proposed site is 1170 Market Street. David Treanor is in negotiation with the leasing agents to plan the build-out of the office space and schedule an open house. Commissioner Graff inquired regarding two criteria for office space. Specifically what are the minimal square feet requirements and what is the maximal allowable cost. David Treanor responded that, "minimal square feet would be 7,500 to 9,000 square feet and cost is $1.00 to $1.40 per square foot." Commissioner Gillette asked if there would working space for Commissioners which would include desk space and telephones. Such space would be provided in the planning along with space for HRC committee meetings. David Treanor projected a move in date of January 1, 1991.

Commissioner Gillette asked for an update concerning Banks Dental Supply letter of complaint against the Health Department. Nat Mason, staff person, responded that a cost comparative analysis indicated that Banks Dental Supply, Inc. is 17½ % above the competing vendors. The cost must be lowered in order to be competitive to enter into contracts and work with the Department of Public Health Department.

NEIGHBORHOOD CONCERNS

Alice Kwong, Chinatown Workers Resource Project, welcomed the Human Rights Commission to the community. The goal of the Chinatown Workers Resource Center is to empower Chinese and other Asian Workers. Services provided include educational workshops, social programs, mutual aid services. Ms. Kwong is asking HRC's support in their campaign for more materials to be printed in Chinese and Spanish to assist non-English speaking workers. Plans are underway to write a resolution for the campaign.

Mr. Tse Ming Tam, Chinese for Affirmative Action, discussed the community's perception of HRC's role in San Francisco. The "minority community" often does not know about all the services that HRC provides to the public. Also Mr. Tam asked about how effective the Human Rights Commission is in serving monolingual clients. Minorities and women are under-represented in the San Francisco construction workforce. The disparities are glaring and apparent in the statistical information presented by Mr. Tam. In addition, Mr. Tam asked the Commission to oppose the superficial and inaccurate treatment of Asian Americans in the new textbooks being considered for adoption by the state of California.

Mr. Vitus Leung, CAA Civil Rights Program Developer, handles discrimination complaints at CAA and highlighted discriminatory problems plaguing the Asian American community. He requested the "commissioners to allocate more resources (financial and manpower) to better assist those Asian community members who may have problems with discrimination in the workplace and/or in employment opportunities". A report describing the types and frequency of discrimination complaints experienced by Asian American from 1989 to the present was given by Mr. Leung.

Lorraine Locke, Asian Neigborhood Design, urged that the Human Rights Commission to adopt a "proactive approach" to tenant rights and fair housing problems. She suggested that HRC could train community workers to be aware of the various housing discrimination practices. Also a media campaign or housing fair would increase the public's awareness of laws and services available to all.

Gregory Leung, Chinese American Citizen Alliance, indicated that his organization was established 78 years ago to reduce discrimination directed at Asians in America. He would like to see the HRC developing more cultural exchange programs in an effort to reduce ignorance and tensions among different racial groups.

Espanola Jackson, District 7 Democratic Club, expressed indignation regarding the Social Issues/Police Liaison Committee's memo dated September 24, 1990 describing tensions within parts of the Lesbian/Gay community and the African American community in San Francisco. The memo cited the Committee's recommendation in response to Mr. Lefty Gordon's request to commend Dr. Louis Sullivan, Secretary of the U.S. Department of Health and Human Services. Specifically, she noted that some of the "tensions" within the Lesbian/Gay community and the African American community are fallacious and misleading. For example, the African American community in San Francisco does not suffer from homophobia and is not resistant to AIDS prevention programs. Commissioner Sammon interjected that the Social Issues/Police Liaison Committee expressed in the memo some of the "sharply conflicting views" regarding homophobia and racism shared by some people in San Francisco" and is "not a belief of the HRC or staff".

Ed Ilumin gave a progress report for Roland Lowe describing the the housing project that is under negotiation on the International Hotel site. It is a 22 million dollar housing project financed by interested parties from Taiwan and with matching City funds.

SOCIAL ISSUES/POLICE LIAISON COMMITTEE

Commissioner Sammon gave a Committee report mentioning that a violation of the City of Refuge ordinance at the wharf involving the police was under investigation. Also reports that human rights of homeless people had been violated are currently being investigated and reviewed. The interim report concerning "action on proposed recommendations from the public hearing on police and public demonstrations" was given to the Commissioners.

The Committee's memo of September 24, 1990 in response to a request for a resolution commending Dr. Louis Sullivan, recommended the Commission table the resolution and "sponsor a facilitated forum" for the Lesbian/Gay community and the African American community. The Committee has an opinion from the ACLU that "people have the right to demonstrate but not take away a person's first amendment right to speak". In regard to this issue, Commissioner Sammon said, "these are the problems that people have come to us with, and they say these problems exist in the community". The Commission "would like to facilitate any kind of dialogue to lessen those tensions and do away with misperceptions".

*** m/s Moved (Sammon), seconded (Bermudez) - motion was not voted on. A motion for the Social Issues /Police Liaison Committees' recommendations was made by Commissioner Sammon. Commissioner Gillette followed the motion with a substitute motion. Commissioner Gillette, as a member of the Social Issues/Police Liaison Committee, was not in concurrence with the Committee's recommendations. Commissioner Gillette presesnted her views in the memo of 9/24/90, as follows:

"As a Commissioner and a member of the Social Issues Committee, I must express my concern, displeasure and disagreement with the memo of 9-24-90 issued under the name of Father Peter Sammon, Chair of the Social Issues Committee, as well as my concern about the prolonged handling of a simple request to the Commission.

Because a community person asked us to pass a resolution and this Commission voted todo so on 6-24-90, I believe we still have a moral responsibility to fulfill our commitment, although 3 months have elapsed. No one was satisfied with the long draft presented by staff at our request because it did not address the issue. Accordingly, in consultation with others, I presented a

resolution which you received. When I left the HRC committee meeting Sept. 18, I left with the impression that the 1 page resolution was acceptable to some committee members with modifications, and I concurred in the suggested changes.

Lack of action by the Human Rights Commission demonstrates and reinforces to the African American communitythe lack of sensitivity and concern about all peoples by the Human Rights Commission and again relegates the concerns of the African American community to the back burner.

The memo of 9-25-90 does exactly what it states it does not want to do - exacerbates tensions by its delineation of unrelated topics - and does not address the basic issue of denial of freedom of speech and subjecting a person to possible bodily harm. The composition of the Lesbian/Gay community is not the issue. The alleged resistance of Blacks of AIDS prevention is not the issue. Housing is not the issue. The actions of the Bush administration is not the issue. These are smokescreens.

What is the issue is the denial of reedom of speech to Dr. Sullivan and the treatment accorded him.

We cannot advocate the preservation of human rights for some refuse to work to assure the protection of such rights to all. We cannot selectively support human rights.

If we do not act on this issue, we are not fulfilling our moral responsibility as Commissioners and are reinforcing the growing opinion in the community as expressed in the letter from the District 7 Democratic Club which we read today, of being a "lap dog" rather than a "watch dog" agency. I, for one, do not want this to happen.

To keep this from happening, and to fulfill our moral commitment, I request that we consider and pass the following sentence:

> "Be it resolved: that the San Francisco Human Rights Commission expresses its grave concern regarding the conduct of participants in the June 24, 1990 ACT UP sponsored demonstration directed at Dr. Lewis Sullivan, Secretary of Health and Human Services and requests ACT UP, in its continued efforts to draw attention to the severity of the AIDS epidemic and the need for coordinated and comprehensive government response to this health issue, not engage in those activities which violate the constitutionally guaranteed right of free ;speech, exacerbate intergroup tensions, and adversely affect coordinated and comprehensive government response to the AIDS/HIV epidemic."

Thank you."

*** moved (Gillette), no second to the motion voiced. Not passed. Commissioner Gillette made a motion that her resolution be adopted in place of the recommendations of the Social Issues/Police Liaison Committee. Commissioner Gillette stated that, "this motion died from lack of a second, and that I hope Commissioners understand what they are doing when they do this". Commissioner Gillette is concerned about "dealing with the human rights of all peple".

Don Hesse emphasized that it was the Social Issues/Police Liaison Committee members, not the Commissioners or staff people, who concluded the resolutions did not deal with the issues and needed to focus on the pertinent issues. The staff was directed to prepare the language. This recommendation is the result of Committee action. Don said, "This is only a beginning" and the Committee hopes that Mrs. Jackson and others can work together on these issues.

Ken Jones, a member of the Lesbian/Gay Advisory Committee expressed his "strong support...to reject both resolutions," and proceed "to mediate tensions and disagreements." Mr. Jones indicated that "a piece of paper can not solve problems". The Sullivan/Act-up incident requries an "ongoing dialogue" to address the many deeper issues confronting" some members of the Lesbian/Gay community and some members of the African American community". He urged the Commission to begin "building important bridges between communities throughout our great City."

Larry Brinkin, Sexual orientation Discrimination Representative, spoke before the Commission requesting the Commission pass the motion as written. He advocated bringing communities together to discuss issues and finding "common grounds" shared by all.

*** m/s/c Moved (Sammon), seconded (Chinn). The recommendations of the Social Issues/Police Liaison Committee in the memo of September 24, 1990 was accepted. (See Attachment 1)

LESBIAN/GAY ADVISORY COMMITTEE

Commissioner Chinn presented the Lesbian/Gay Advisory report. In an update on Proposition K, regarding Domestic partnership, it was decided that plans for a forum would conflict with the timing of the campaign. As for the issue of the Sullivan/Act-up resolution, the prevailing sentiment was that the resolutions would not be effective and "mediation and healing was the aim."

The Lesbian/Gay Advisory Committee presented three letters to be considered, voted on and accepted by the Commission.

*** m/s/c Moved (Graff), seconded (Bermudez). The motion for the letter addressed to the State Board of Education to urge that they do not approve new textbooks unless they reflect accurately the contributions of Lesbians, Gays and Bisexuals be adopted. (See Attachment 2)

*** m/s/c Moved (Graff), seconded (Chinn). The motion for the letter addressed to Jon Stewart, editorial writer for the San Francisco Chronicle, questioning the failure of the newspaper to mention anti-Lesbian and anti-Gay violence in their series of articles concerning hate crimes be adopted. (See Attachment 3)

**** m/s/c Moved (Bermudez), seconded (Chinn). The motion for the letter addressed to Dexter Waugh, staff writer at the San Francisco Examiner, commenting on his series of articles focusing on the "omission and misrepresentation" of minorities and women in the school textbooks. The letter noted that the "Lesbian, Gay, and Bisexual community" has also been overlooked and should be included in future articles be adopted. (See Attachment 4)

*** m/s/c Moved (Chinn), seconded (Bermudez). To accept the report of the Lesbian/Gay Advisory Committee.

MBE/WBE/LBE COMMITTEE

There was no report.

EMPLOYMENT COMMITTEE

There was no report.

YOUTH AND EDUCATION COMMITTEE

There was report.

NEW MATTERS

There were no new matters.

CALENDAR MATTERS

The next regular Commission meeting will be on October 11, 1990 at 9:00 A.M. at the Department of Social Services, Auditorium, 170 Otis Street.

STANDING COMMITTEES

ADMINISTRATIVE	Thursday, October 4, 1990 9:00 A.M. Room 110-B War Memorial Veterans' Building 401 Van Ness Avenue
EMPLOYMENT	To be announced
HOUSING AND URBAN DEVELOPMENT	To be announced.
LESBIAN/GAY ADVISORY	Tuesday, October 16, 1990 5:30 - 7:30 P.M. Room 110-B War Memorial Veteran's Building 401 Van Ness Avenue
SOCIAL ISSUES/POLICE LIAISON	Tuesday, October 16, 1990 9:00 A.M. HRC, Room 509 1095 Market Street
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISES	To be announced.
YOUTH AND EDUCATION	Thursday, October 18, 1990 3:30 P.M. Conference Room, 6th Floor Commission on Aging 25 Van Ness Avenue

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

Commissioner Jaber thanked the Chinese Culture Center for hosting the meeting and the staff for their excellent work in facilitating the meeting.

Don Hesse requested that the meeting be adjourned in memory of Stanley Lim, a member of the HRC staff for 19 years before his death.

*** m/s/c/ Moved(Graff), seconded (Bermudez) Don Hesse's request for Stanley Lim.

ADJOURNMENT

Commissioner Jaber adjourned the meeting, in memory of Stanley Lim, former HRC Contract Compliance Officer II, at 7:40 P.M.

Respectfully Submitted,

Peter M. Jamero
Executive Director

By:
Carolyn Hom
Representative

PMJ:CH:cmh
MINUTES[HOM1]

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

DOCUMENTS DEPT.

OCT 10 1990

SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Thursday, October 11, 1990
TIME: 9:00 a.m.
PLACE: Auditorium
Department of Social Services
170 Otis Street
San Francisco, CA 94102
(415) 557-6432

AGENDA

I. Roll Call

II. Approval of the Minutes of the meeting of September 27, 1990

III. Communications

IV. Report of the Acting Chairperson

V. Executive Director's Report

VI. Special Item:
Executive Directive - Minority and Women Business Enterprise Program:
Ed Lee, Office of the Mayor

VII. Commission Items:
A. Adoption of Resolutions of commendation to Isadore Pivnick
B. Action on Resolution re: Mayor's Reception for Fleet Week
C. Action on Restructing of HRC Committees
- For Discussion - A New Proposal
D. "Home Town Plan" for employment on construction projects:
Information Item

VIII. Standing Committees

A. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair
1. Committee Report

B. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair
1. No Report

C. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair
1. No Report

D. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair

1. No Report

E. Youth and Education Committee:

1. No Report

IX. New Matters

X. Calendar Matters

XI. Remarks from the Audience*

XII. Executive Session
(Closed session to discuss personnel matters in accordance with California's Public Meeting Law: the Brown Act)

XIII. Adjournment

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:ad
[Agenda]ADAO
10/5/90

HUMAN RIGHTS COMMISSION

October 11, 1990

The Minutes of this meeting are missing.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

M E M O R A N D U M

HUMAN RIGHTS COMMISSION

SPECIAL MEETING

DOCUMENTS DEPT.
OCT 23 1990
SAN FRANCISCO
PUBLIC LIBRARY

DATE: Thursday, October 25, 1990
TIME: 5:00 PM - 7:45 PM
PLACE: Mission Neighborhood Health Center
240 Shotwell Street
San Francisco, CA 94110
552-3870

AGENDA

		Allocated Time	Time Schedule
I.	Roll Call	1 Minute	5:00 PM
II.	Executive Session (Closed session to discuss personnel matters)	30 Minutes	5:01 PM
III.	Approval of the Minutes of the meeting of October 11, 1990	3 Minutes	5:31 PM
IV.	Communications	1 Minute	5:34 PM
V.	Report of the Acting Chairperson.	10 Minutes	5:35 PM
	- Who We Are - Why Are We Here?		
VI.	Executive Director's Report.	15 Minutes	5:45 PM
	A. Adoption of Resolution authorizing lease of 1170 Market Street		
	B. Update on Commission Priorities		
	C. MBE/WBE Third Quarter FY 89-90 Report: Information Item		

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

VII. Neighborhood Concerns — 60 Minutes — 6:00 PM

VIII. Standing Committees

A. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair — 25 Minutes — 7:00 PM

1. Progress on Proposed Recommendations from the Public Hearing on Police and Public Demonstrations

2. Letter to the Police Commission and Chief Frank Jordan concerning long delays in processing complaints of alleged improper conduct by police officers

3. Resolution urging President Bush to minimize the U.S military role in the Middle East and address gender based discrimination in the military

4. Committee Report

B. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair — 10 Minutes — 7:25 PM

1. Approval of letter to Chief of Police Jordan re: timeliness of OCC complaint investigations and lack of action on complaints by the Chief of Police

2. Committee Report

C. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair — 5 Minutes — 7:35 PM

1. Action on Affirmative Action in the Hotel and Restaurant Industry

D. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair — 0 Minutes — 7:40

1. No Report

DOCUMENTS DEPT.

	E. Youth and Education Committee: Commissioner Vivian Hallinan, Chair	0	7:40 PM
	1. No Report		
IX.	New Matters	1 Minute	7:40 PM
X.	Calendar Matters	1 Minute	7:41 PM
XI.	Remarks from the Audience*	3 Minutes	7:42 PM
XII.	Adjournment		7:45 PM

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:bct
(Reg Com Mtg)FIXED

SF
180
#2
10/25/90
Special

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, SUITE 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TDD AVAILABLE)

MINUTES OF THE SPECIAL MEETING OF THURSDAY, OCTOBER 25, 1990

DOCUMENTS DEPT.
DEC 7 19
SAN FRANCISCO
PUBLIC LIBRARY

NEXT MEETING

DATE: Thursday, November 8, 1990

TIME: 9:00 A.M.

PLACE: Conference Room, 110 B
War Memorial Veterans Building
401 Van Ness Avenue
San Francisco, CA 94102

The meeting was called to order at 5:05 P.M. by Acting Vice Chair, Commissioner May Jaber.

Roll call was taken and a quorum was determined to be present.

ROLL CALL

Commissioners

Present: Adrian Bermudez, Jr., Lenore Chinn, Frankie Jacobs Gillette, Leonard Graff, Vivian Hallinan, May P. Jaber, Lucile Lockhart and Peter J. Sammon.

Excused: Karen N. Kai and Lawrence B. Martin

HRC Staff

Present: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson, Paula Brantner (Intern); Larry Brinkin, James Fields, Bayard Fong, Cynthia Goldstein, Jacquie Hale, Don Hesse, Carolyn Hom, Richard Norton,Jaime Peckham (Intern), Gail Roberts, David Treanor, Pansy Waller, and Gary Wong.

Guests: Vivien H. Azadian, M.E.D.A.; Roberto E. Barragan, M.E.D.A.; Anne Cervantes, S.F. Hispanic Chamber; Arca Escontrian, S.F. Public Health Dept.; Captain Michael Hebel, S.F.P.D.; Ruth Mahaney; and Ken Romines, Mission Reading Clinic.

EXECUTIVE SESSION

The Commission met in Executive Session at 5:05 P.M. to discuss personnel matters and reconvened for the Special Meeting of the Human Rights Commission at 5:42 P.M.

APPROVAL OF MINUTES

The minutes of October 11, 1990 have been amended to reflect the following:

Commissioner Gillette indicated that Commissioner Bermudez had asked in a previous meeting, "that each of his votes be recorded" and Commissioner Gillette requested that this should be done for all the Commissioners. Commissioner Gillette also requested that in the corrected minutes the individual votes of a particular motion be recorded and the presence or absence of an individual commissioner during the voting be noted. The September 27 minutes should be amended to reflect these changes.

* * * m/s/c (Hallinan) moved, (Lockhart) seconded. The vote was unanimous to approve the minutes of October 11, 1990 as amended.

COMMUNICATIONS

- To Commissioner Pivnick, from Supervisor Angela Alioto, a letter dated September 17, 1990, inviting all HRC Commissioners to a public hearing on the use of electroshock therapy in Bay Area hospitals, before the City Services Committee on October 16, 1990 at 10:00 A.M. in Room 228 in City Hall.

- A copy of a letter to Commissioner Pivnick, from Barbara Blinick, received September 19, 1990, declining Commissioner Pivnick's invitation to join the Youth and Education Committee.

- A copy of a news release, from the Human Rights Commission, dated September 20, 1990, describing the appointment of Cynthia Goldstein, Attorney, to the Lesbian/Gay and AIDS Unit of the San Francisco Human Rights Commission.

- To Peter M. Jamero, Executive Director, from Anne Godfrey, Director of Training, Civil Service Commission, a letter received September 24, 1990, including a packet of Management Training Needs survey forms to be distributed to HRC staff.

- A copy of a letter to Gail Roberts, Coordinator, Human Rights Commission, from Mary Beth Love, Director, Center for Health Promotion, received October 1, 1990, requesting a letter of support for a grant proposal by the Center for Health Promotion.

- To Commissioner Pivnick, from Susan Kwock, Director of Special Education, San Francisco Unified School District, information received October 3, 1990, describing the special education program as requested by Commissioner Pivnick.

- To M/WBE Professional Staff, from Peter M. Jamero, Executive Director, a letter dated October 5, 1990, thanking staff for responding to the meeting of October 5, and asking staff to review and comment on the latest draft of the Executive Directive.

- A copy of a letter to Sharon Johnson, Executive Director of the Commission on the Status of Women, from Mayor Art Agnos received October 10, 1990, complimenting COSW on program initiatives.

- To All Appointing Officers, from John J. Walsh, General Manager, Personnel, Civil Service Commission, a letter dated October 10, 1990, asking that an organization chart be submitted by November 23, 1990 to the Civil Service Commission.

- To Espanola Jackson, President, District 7 Democratic Club, from Peter M. Jamero, Executive Director, dated October 10, 1990, a letter thanking her for a copy of a letter dated September 14, 1990 to Mayor Art Agnos and indicating that the Mayor would respond to the concerns she articulated.

- To Peter M. Jamero, Executive Director, from Larry Meredith, Deputy Director for Operations, Department of Public Health, a letter received October 12, 1990, responding to Director Jamero's letter of July 6, 1990 regarding the construction of a ramp to the rostrum of the 101 Grove auditorium and the provision of devices to aid hearing-impaired people.

- To Peter M. Jamero, Executive Director, from Keith Choy, Director, Mayor's Office of Children, Youth and Their Families, a letter received October 17, 1990, requesting that a survey form on children, youth and families be completed by November 20, 1990.

- A copy of a memorandum to San Francisco Board of Supervisors, from Mara E. Rosales, received October 17, 1990, regarding a court ruling for the MBE/WBE/LBE Ordinance which denied the Associated General Contractors of California's motion for a preliminary injunction against enforcement of the Ordinance.

- A copy of the State of the City report from Mayor Art Agnos, dated October 1, 1990.

- A copy of the 1989-90 Civil Grand Jury Reports, City and County of San Francisco.

- A copy of a newspaper clipping, S.F. Examiner, dated October 9, 1990, entitled "More City Business to Minorities."

- A copy of a newspaper clipping, S.F. Weekly, dated October 10, 1990, entitled, "Agnos Order Aids Minority Business."

- A copy of a newspaper clipping, S.F. Chronicle, dated October 11, 1990, entitled,
"S.F. Wins Ruling to Keep Minority Contractor Law."

- A copy of a newspaper clipping, S.F. Chronicle, dated October 12, 1990, entitled, "Agnos to Order More Contracts for Minorities."

- A copy of a newspaper clipping, S.F. Chronicle, dated October 12, 1990, entitled, "Rights Bill Watered Down in Attempt to Avoid Veto."

- A copy of a newspaper clipping, Sun Reporter, dated October 17, 1990 entitled, "Skepticism Greets Agnos Order on MBE Contracting Policies."

Waiver Request Granted

1) MBE/WBE waiver to the Department of Public Health to award a $25,000 contract to Raymond Baxter, as a sole source, granted October 9, 1990.

Waiver Request Returned

1) MBE/WBE waiver for S.F. Arts Commission to award a contract to Bruce Hasson has been determined to be inappropriate.

REPORT OF THE ACTING CHAIRPERSON

Acting Vice Chairperson Jaber described the Human Rights Commission's role and responsibilities as a San Francisco Charter Commission and City government agency, founded in 1964. In addition, she clarified why the Human Rights Commission was meeting in a neighborhood setting. The Human Rights Commission is composed of 11 commissioners, appointed by the Mayor for 4 year terms, setting policy to be administered by the Executive Director through his staff.

The Commission's mission statement is: "The Human Rights Commission is the preeminent San Francisco agency providing leadership and advocacy to secure, protect, and promote human rights for all people".

HRC is responsible for:

- Enforcing non-discrimination and promoting affirmative action in employment in City and County contracts;

- Monitoring the implementation of the Minority/Women/Local/Business Enterprise Ordinance and promoting the use of MBEs and WBEs on City and County contracts;

- Investigating complaints of discrimination in S.F. based on sexual orientation and AIDS/HIV;

- Investigating violations of S.F.'s City of Refuge Ordinance;

- Developing a city-wide program of Hate Violence reduction; and

- Promoting human relations activities, conciliating inter-group tensions and mediating inter-group disputes.

The purpose of holding meetings in the neighborhood is to enable the community to observe the Commission at work and to provide the community an opportunity to tell the Commission its concerns.

HRC will resume holding its second meeting of the month in various neighborhoods all over the City, beginning on January 24, 1991.

EXECUTIVE DIRECTOR'S REPORT

Adoption of Resolution authorizing lease of 1170 Market Street

Director Jamero presented a resolution for the relocation of the Human Rights Commission offices to 1170 Market Street. Negotiations between the Real Estate Department, representing the HRC, and the leasing agent, Marathon Leasing, representing the interests of the building at 1170 Market Street have resulted in lease terms summarized in a letter. The resolution and the lease agreement will be presented to the Finance Committee of the Board of Supervisors for action.

Commissioner Gillette inquired concerning money that would be used to buy new furniture. David Treanor reported that there is no money budgeted or available to purchase office furniture. Commissioner Lockhart requested that a statement about the mobility and accessibility of the new site be included in a future press release. Commissioner Lockhart stressed that the new space "must be accessible to the persons with mobility impairments, which includes the bathrooms." Commissioner Lockhart asked if the Commission would consider adding language to the resolution that the space is accessible for the mobility impaired people. Although language can be added, David Treanor responded that the Real Estate Department had checked and approved the 1170 Market Street building for both seismic and accessibility suitability standards. Commissioner Lockhart emphasized that if staff could insure that the checking was properly done by a qualified person or agency she would accept the appropriateness of the site for accessibility.

* * * m/s/c (Bermudez) moved, (Chinn) seconded - the motion for adoption of the resolution for relocation of the Human Rights Commission offices to 1170 Market Street was adopted. The vote was unanimous.

Update on Commission Priorities

Director Jamero reported on the update for Commission Priorities. Commissioners received the update in their packets. First priorities are Community Relations and Outreach; second priorities are a Civil Rights Survey and Update of Human Rights Laws; and the third priority is the Carrying Out of Ongoing Efforts/Program. The Commission Priorities update sheet detailed specific staff activities which support achieving the objectives of the Commission Priorities.

MBE/WBE Third Quarter FY 89-90 Report Information Item

Director Jamero reported that the second item for the Committee of the Whole meeting of October 29, 1990 will be a report of the staff findings and analysis of the FY 89-90 third quarter MBE/WBE data. The final MBE/WBE and quarter report for Fiscal Year 1989-90 will be presented to the November 8, 1990 meeting of the Economic and Social Policy Committee of the Board of Supervisors.

Other Items

The search for a place in which to hold Human Rights Commission meetings is proceeding. The criteria for a meeting place that it has to be available on a certain day, time, and of proper size have placed constraints as to the adequacy of currently available locations. However, Room 110-B, War Memorial Veterans Building has been confirmed as an interim meeting site for the November 8, 1990 Human Rights Commission meeting.

Commissioner Gillette requested that a copy of the 1989-90 Civil Grand Jury Reports for the City and County of San Francisco be given to each Commissioner. Also, Commissioner Gillette recommended that an organizational chart for the Human Rights Commission staff be available at the Committee of the Whole meeting on October 29, 1990.

Statement of the Human Rights Commission

Commissioner Vice Chair May P. Jaber read the following statement:

It is with regret that the Human Rights Commission tonight, in executive session, accepted the resignation of our Executive Director, Peter Jamero. His resignation will be effective December 31, 1990. Until that time, he will continue to exercise all of the duties and responsibilities of his position.

Mr. Jamero came to this Commission during a difficult time. He has displayed a firm commitment to human rights, the disadvantaged, and the citizens of our city. We have made progress in responding to Hate Violence, in providing a new data system to monitor compliance with the City's MBE/WBE/LBE Program, and in eliminating a backlog of discrimination cases.

We would like to thank Peter for his hard work, his dedication and service to the people of San Francisco.

Peter, we wish you the best of luck in your future endeavors.

NEIGHBORHOOD CONCERNS

Ken Romines, Director of the Mission Reading Clinic, spoke before the Commissioners, describing his agency which began in 1972. The agency has four sites in the City providing reading, writing and math instruction to approximately 420 high-risk children and at-risk youth each year. The objectives are to teach reading, writing and math. Also, the students are assisted in returning to school and, ultimately, graduating. Ken Romines requested that the Human Rights Commission provide advocacy and support for community agencies that provide important services that assist children and youth.

Anne Cervantes, San Francisco Hispanic Chamber, stated that members of the Hispanic Chamber could not attend the Human Rights Commission meeting because two weeks' notice did not allow enough time to plan for the meeting due to conflicts in scheduling. Ms. Cervantes requested another meeting to be scheduled in the Mission neighborhood. The Hispanic Chamber is concerned with MBE/WBE issues in the Mission.

SOCIAL ISSUES/POLICE LIAISON

Progress on Proposed Recommendations from the Public Hearing on Police and Public Demonstrations

Commissioner Peter Sammon presented the report on behalf of the Social Issues/Police Liaison Committee to the Human Rights Commission on recommendations from the June 29, 1989, Public Hearing on Police and Public Demonstrations. A copy of the Report to the Human Rights Commission is attached to these Minutes.

After reviewing the extensive testimony given at the June 1989 Public Hearing, the Social Issues/Police Liaison Committee made twenty-two recommendations regarding the policies and procedures of the San Francisco Police Department.

During the past year a number of steps have been taken by HRC to further the implementation of these recommendations. They include consultations with the Mayor's Office and various Supervisors, contact with the Chief of Police and the President of the Police Commission, participation on two working committees (one on the Crowd Control Manual and the other on Intelligence Policies) and cooperation with organizations with similar concerns, e.g., Community United Against Violence, ACLU, Central American Refugee groups, the San Francisco Sanctuary Covenant and several other individuals and groups.

The report of September 26, 1990 outlines the progress made to date in implementing the proposed recommendations. We are grateful to the Police Commission and the San Francisco Police Department for their willingness to cooperate and in particular to formulate new policies and procedures. As the report indicates much has been accomplished, but there remains substantive work to be done.

The Committee is especially concerned about the implementation of some of these policies; specifically, the long delay between the time when an officer is accused of improper conduct and the final resolution of the case. These delays constitute an injustice to both the officer charged and the complainant; they also undermine the credibility of the Police Department, the Office of Citizen Complaints, and the political will of the City, by sending a message to the public and the department that Police officers need not worry that they will be held accountable to observe the new policies adopted by the Police Department and the Police Commission.

The Committee is encouraged by the progress made to date. That progress has made worthwhile the considerable investment of time and energy by the HRC staff, Commissioners and Committee Members. We are grateful to everyone for their contribution, in particular staff for their work on this project, including preparation of the Public Hearing Summary Recommendations and the September 26, 1990 Progress Report.

Don Hesse reported on the five recommendations developed to address the intelligence gathering policy of the San Francisco Police Department. The recommendations include specifically the proposed recommendations from the June 26, 1989 public hearing. In summary, "the intelligence policy sets up clear standards of conduct for all the officers engaged in intelligence gathering; requires strict accountability for any intelligence gathering; and opens the records to the public."

Letter to the Police Commission and Chief Frank Jordan Concerning Long Delays in Processing Complaints of Alleged Improper Conduct by Police Officers

The Committee requested that the Commission send a letter to the Police Commission and Chief Frank Jordan concerning long delays in processing complaints of alleged improper conduct by police officers. The letters have been amended to include the Lesbian/Gay Advisory Committee's concerns about the issues raised earlier by the Social Issues/Police Liaison Committee.

* * * m/s/c Sammon moved, Gillette seconded - that the Commission approve the sending of letters to the Police Commission and Chief Frank Jordan as amended. The vote was unanimous.

Resolution Urging President Bush to Minimize the U.S. Military Role in the Middle East and Address Gender Based Discrimination in the Military.

The Social Issues/Police Liaison Committee acted upon the resolution urging President Bush to minimize the U.S. military role in the Middle East and addressing gender based discrimination in the military and presented it to the Commission for their action. On the basis of Commissioner discussion, the following changes were proposed: Commissioner Graff recommended that in the fifth paragraph the phrase, "on the occasion of Fleet Week" be deleted, and "urge" be changed to "urges". Commissioner Chinn recommended that in the last sentence be amended to include, "race and sexual orientation" in addition to gender. Commissioner Graff's friendly amendment was accepted that "on the occasion of Fleet Week" be deleted and "urge" be amended to "urges".

Commissioner Hallinan asked how the resolution is to be used. Commissioner Lockhart and Commissioner Hallinan agreed to study and report on this question.

* * * m/s/c Lockhart moved , Bermudez seconded - that the resolution be adopted as amended. The vote was unanimous.

LESBIAN/GAY ADVISORY

Commissioner Chinn thanked the Social Issues/Police Liaison Committee for incorporating some of the Lesbian/Gay Advisory Committee's concerns in their letter. Also, Commissioner Chinn reported that the World Health Organization has declared December 1st this year as World AIDS Day with special focus on Women with AIDS. She also reported that Jackie Winnow will be that a Resolution in this issue would be before the Commission at its November 8th meeting. Jackie Winnow will be the recipient of one of the Friends of the Human Rights Commission awards this year.

Cynthia Goldstein reported on the Lesbian/Gay Advisory Committee meeting of October 16, 1990. Committee items included a discrimination complaint against General Motors, homophobic Evangelist Larry Lea coming to San Francisco during Halloween, Don Hesse's report on Hate Violence reduction and a discussion on HRC Committee restructuring.

* * * m/s/c Chinn moved , Graff seconded to accept the Committee's report. The vote was unanimous.

EMPLOYMENT

Commissioner Gillette reported that the Employment Committee is continuing to work to ensure equal employment opportunities for all groups of people. The next Employment Committee meeting is on November 1, 1990 at the War Memorial Veterans Building.

* * * m/s/c Gillette moved , Bermudez seconded - to accept the Committee's report. The vote was unanimous.

MBE/WBE/LBE ADVISORY

There was no report.

YOUTH AND EDUCATION

There was no report.

NEW MATTERS

Commissioner Sammon noted that the issue of Proposition D, presented to the Social Issues/Police Liaison Committee, is complex. The Committee recommended no action. Commissioner Sammon predicted that the matter will be going to court.

Commissioner Lockhart described Mayor Agnos's support of the transfer tax, she had post cards available for sending to the members of the Board of Supervisors urging their support.

CALENDAR MATTERS

The next Commission meeting will be on November 8, 1990, 9:00 A.M. at Room 110-B War Memorial Veterans Building, 401 Van Ness Avenue.

STANDING COMMITTEES

ADMINISTRATIVE	To be announced
EMPLOYMENT	Thursday, November 1, 1990 9:00 A.M. Room 110-B War Memorial Veterans Building 401 Van Ness Avenue
HOUSING AND URBAN DEVELOPMENT	To be announced
LESBIAN/GAY ADVISORY	Tuesday, November 20, 1990 5:30 - 7:30 P.M. Room 110-B War Memorial Veterans Building 401 Van Ness Avenue
SOCIAL ISSUES/POLICE LIAISON	Tuesday, November 13, 1990 9:00 A.M. HRC, Room 509 1095 Market Street
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISES	To be announced

YOUTH AND EDUCATION

Thursday, November 1, 1990
3:30 P.M.
Conference Room
Commission on Aging
25 Van Ness Avenue

REMARKS FROM THE AUDIENCE

There were no remarks from the audience.

ADJOURNMENT

Commissioner Jaber adjourned the meeting at 7:50 P.M.

Respectfully Submitted,

Peter M. Jamero
Executive Director

By: Carolyn Hom
Representative

PMJ:CH:oa:np
(CH-4)oba
11-6-90

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

October 25, 1990

Attachment A: REPORT TO THE HUMAN RIGHTS COMMISSION

FROM THE SOCIAL ISSUES/POLICE LIASON COMMITTEE ON RECOMMENDATIONS
FROM THE JUNE 29, 1989, PUBLIC HEARING ON POLICE AND PUBLIC DEMONSTRATIONS

After reviewing the extensive testimony given at the June 1989 Public Hearing, the Social Issues/Police Liaison Committee made twenty-two recommendations regarding the policies and procedures of the San Francisco Police Department.

During the past year, a number of steps have been taken by HRC to promote the implementation of these recommendations. They include consultations with the Mayor's Office and various Supervisors, contact with the Chief of Police and the President of the Police Commission, participation in two working committees (one on the Crowd Control Manual, the other one on Intelligence Policies) and cooperation with organizations with similar concerns, e.g. the Community United Against Violence, ACLU, Central American Refugee groups, the San Francisco Sanctuary Covenant and several other individuals and groups.

The report of September 26, 1990 outlines the progress made to date in implementing the proposed recommendations. We are grateful to the Police Commission and the San Francisco Police Department for their willingness to cooperate and, in particular, to formulate new policies and procedures. As the report indicates, much has been accomplished, but there remains substantive work to be done.

We are especially concerned about the implementation of some of these policies, specifically, the long delay between the time when an officer is accused of improper conduct and the final resolution of the case. These delays constitute an injustice to both the officer charged and the complainant; they also undermine the credibility of the Department, the Office of Citizen Complaints, and the political will of the City, by sending a message to the public and the Department that officers need not worry that they will be held accountable to observe the new policies adopted by the department and the Commission.

We are encouraged by the progress made to date. That progress has been made worthwhile the considerable investment of time and energy by the HRC staff, the Commissioners and the Committee Members. We are grateful to everyone for their contribution, in particular Don Hesse for his work on this project and his preparation of the Public Hearing Summary Recommendations and the September 26, 1990 Action Report.

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

DOCUMENTS DEPT.

OCT 26 1990

SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION

COMMITTEE OF THE WHOLE

MEETING

DATE: Monday, October 29, 1990
TIME: 9:00 A.M. - 11:00 A.M.
PLACE: HRC Offices, Room 509
1095 Market Street
San Francisco, CA 94103

REVISED AGENDA

1. Description of existing committee structure by the Executive Director

2. Proposals for restructuring of HRC Standing Committees

	Proposal	Presentor
A.	Reduction of committees from seven to four and with the Youth and Education Committee continued for a time limited period	Jamero
B.	Retention of L/GAC and MBE/WBE Committee, elimination of others, replaced by ad hoc committees focusing on Commission priorities	Graff
C.	Elimination of existing standing committees, to be replaced by "Gateway" Committee, Legislative Committee, Community Education Committee, and Coalition Building Committee	Lockhart

3. Discussion of Options for Restructuring HRC Standing Committees

4. Recommended Action re: HRC Standing Committees

5. Approval in principle of MBE/WBE Three Quarter FY89-90 Report

GPR:np
HRC/GPR[PAN-1]

HUMAN RIGHTS COMMISSION

October 29, 1990

The Minutes of this meeting are missing.

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Thursday, November 8, 1990

TIME: 9:00 a.m.

PLACE: Conference Room 110B
War Memorial Veterans Building
401 Van Ness Avenue
San Francisco, CA 94102
621-6600

DOCUMENTS DEPT.
NOV 9
PUBLIC LIBRARY

AGENDA

I. Roll Call

II. Approval of the Minutes of the meeting of October 25, 1990

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Commission Items:

A. Action on MBE/WBE FY 89-90 Three Quarter Report

B. Report of the Nominating Committee for Chair and Vice Chair

C. Action Designating HRC Standing Committees

D. Adoption of Resolution regarding Women and AIDS

VII. Standing Committees

A. Social Issues/Police Liaison Committee: Commissioner Peter J. Sammon, Chair

1. Hate Violence Reduction Project development: Fred Persily, Consultant, Intergroup Clearinghouse
2. Dessemination of Resolution re: minimizing the U.S. military role in the Middle East and addressing gender and sexual orientation based discrimination in the military
3. Committee Report

B. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair

1. Action on Resolution re: Parc 55 Hotel
2. SCAAP Report
3. Committee Report

C. Youth and Education Committee: Commissioner Vivian Hallinan

1. Committee Report

D. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair

1. No Report

E. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair

1. No Report

VIII. New Matters

IX. Calendar Matters

X. Remarks from the Audience*

XI. Adjournment

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:ad
11/2/90

[Agenda]ADAO

HUMAN RIGHTS COMMISSION

November 8, 1990

The Minutes of this meeting are missing.

City and County of San Francisco

Human Rights Commission
Office of Contract Compliance
Office of Dispute Resolution

HUMAN RIGHTS COMMISSION

REGULAR MEETING

DATE: Tuesday, December 11, 1990

TIME: 9:00 a.m.

PLACE: Conference Room 110B
War Memorial Veterans Building
401 Van Ness Avenue
San Francisco, CA 94102
621-6600

DOCUMENTS DEPT.
DEC 1 1
SAN FRANCISCO
PUBLIC LIBRARY

AGENDA

I. Roll Call

II. Approval of the Minutes of the Meeting of November 8, 1990 and of the October 29, 1990 Committee of the Whole

III. Communications

IV. Report of the Chairperson

V. Executive Director's Report

VI. Executive Committee Items:

A. Adoption of Resolution commending Isadore Pivnick

B. Presentation of Resolution to Isadore Pivnick

C. Adoption of 1990 Guidelines for HRC Standing Committees

D. Analysis of Commission meetings in neighborhoods

E. Confirmation of Executive Committee approval of Resolution commending Phyllis Lyon and Del Martin

F. Martin Luther King Holiday Activities

VII. Standing Committees

A. MBE/WBE/LBE Advisory Committee: Commissioner May P. Jaber, Chair

1. Committee Report

B. Issues Committee: Commissioner Peter J. Sammon, Chair

1. Committee Report

C. Employment Committee: Commissioner Frankie Jacobs Gillette, Chair

1. Committee Report

D. Lesbian/Gay Advisory Committee: Commissioner Leonard Graff, Chair

1. Committee Report

E. Youth and Education Committee: Commissioner Vivian Hallinan

1. Committee Report

VIII. New Matters

IX. Calendar Matters

X. Remarks from the Audience*

XI. Adjournment

* Speakers wishing to provide input of a general nature are to fill out speaker cards with the Commission Secretary and will be called upon in the order in which cards are submitted. Speakers are limited to three minutes each. At the discretion of the Chair, public comment may be heard following Commissioners' discussion of agenda items.

GPR:ad:se
12/5/90

[Agenda]ADAO

F
30
F2
1/11/90

DOCUMENTS DEPT.

FEB 13 1991

SAN FRANCISCO
PUBLIC LIBRARY

HUMAN RIGHTS COMMISSION
CITY AND COUNTY OF SAN FRANCISCO
1095 MARKET STREET, ROOM 501
SAN FRANCISCO, CA 94103
(415) 558-4901 (TTD AVAILABLE)

MINUTES OF THE MEETING OF TUESDAY, DECEMBER 11, 1990

NEXT MEETING

DATE: Thursday, January 10, 1991
TIME: 9:00 A.M.
PLACE: Fire Commission Meeting Room 201
Fire Department Headquarters
260 Golden Gate Avenue
San Francisco, CA

The meeting was called to order at 9:18 A.M. by Commissioner Karen Kai, Chair.

ROLL CALL

Commissioners:

Present: Adrian Bermudez, Jr.; Lenore Chinn; Frankie Jacobs Gillette; Leonard Graff; May P. Jaber; Karen Kai; Lucile Lockhart; Lawrence B. Martin; and Peter J. Sammon

Excused: Vivian Hallinan

HRC Staff: Peter M. Jamero, Executive Director; Adelbert Campbell, Deputy Director; Frank Anderson; Linda Chin; James Fields; Bayard Fong; Jacquie Hale; Don Hesse; Ed Ilumin; Nathaniel Mason; Veronica Ng; Norm Nickens; Richard Norton; Jaime Peckham (Intern); Gail Roberts; Carmen Smith; Mary Gin Starkweather; and Pansy Waller.

APPROVAL OF MINUTES

Approval of the minutes of the meeting of November 8, 1990, and of the October 29, 1990, Committee of the Whole; the minutes of November 8, 1990, were not available for approval.

*** Moved (Martin), seconded (Graff) to approve the minutes of October 29, 1990; motion passed unanimously.

Commissioner Gillette expressed concern regarding the unavailability of the November 8, 1990, minutes and requested the Director to address this issue.

COMMUNICATIONS

- To Peter M. Jamero, Executive Director, from Luz Buitrago,

attorney, San Francisco Neighborhood Legal Assistance Foundation, a letter dated November 7, 1990, requesting information regarding regulations implementing the City's Fair Housing Law, Articles 1.2 and 33 of the San Francisco Police Code (Ordinances 399-87 and 400-87), and regarding how to file a discrimination complaint.

- To Peter M. Jamero, Executive Director, from Mayor Art Agnos, a letter dated November 14, 1990, informing Director Jamero that the HRC's proposal for $57,447 for program administration and $65,000 for housing counseling services have been recommended for funding in the 1991 Community Development Program, and will be submitted to the Board of Supervisors and heard in Committee on Wednesday, November 28, 1990.

- To Peter M. Jamero, Executive Director, from Mara E. Rosales, Deputy City Attorney, a letter received November 16, 1990, clarifying the provisions of Chapter 12D of the San Francisco Administrative Code as they apply to the contracting practices of the San Francisco Employees' Retirement System.

- To Community Neighbors, from Peter M. Jamero, Executive Director, a questionnaire dated November 16, 1990, asking for community response to the HRC neighborhood meeting survey.

- To Peter M. Jamero, Executive director, from George R. LaNoue, professor of political science, University of Maryland, a letter received November 20, 1990, requesting a Human Rights Commission report entitled "Investigation into Minority and Women Business Participation in City Contracting" (October 1983) and requesting the opportunity to interview staff familiar with the problems of minority businesses.

- A copy of a letter dated November 20, 1990, to Members of the Board of Supervisors from Anthony J. DeLucchi, Director of Property, Real Estate Department, recommending adoption of the proposed Resolution authorizing a sublease between the City, as Sublessee, and Pacific Gas and Electric Company, as Lessor, for offices on the 5th and 6th floors of 1170 Market Street.

- From Peter M. Jamero, Executive director, to Rudolph Nothenberg, Chief Administrative Officer, a letter dated November 27, 1990, requesting a meeting to discuss work order funding involving the Moscone project.

- From Peter M. Jamero, Executive Director, to Commissioner Edward A. Chow, M.D., Chair, San Francisco Health Commission, a letter dated November 28, 1990, with a copy of the HRC resolution regarding women and AIDS/HIV, requesting that the needs of women with AIDS/HIV be prioritized.

- To Commissioner Karen Kai, Chair, from Sharon Johnson, Executive Director, Commission on the Status of Women, a letter dated december 3, 1990, inviting the HRC to a COSW meeting on January 24, 1991, to hear a report from the Women's Health Committee addressing women's health issues.

- From Adelbert Campbell, Deputy Director, to Robert T. Cockburn, Executive Director, Clean Water Program, a letter dated December 3, 1990, acknowledging receipt of Mr. Cockburn's letter of November 16, 1990 summarizing the discussions for the design contract for the Richmond Transport Project.

- From Commissioner Vivian Hallinan, to Mr. Kent Mitchell, United Educators of San Francisco, a letter dated December 4, 1990, encouraging Mr. Mitchell to participate more actively as a member of the Youth and Education Committee.

- From Peter M. Jamero, Executive Director, to Mr. Fred Meis, Meis and Waite, a letter dated December 4, 1990, noting the City Attorney's opinion that Chapter 12D of the Administrative Code does apply to the Employee's Retirement System and stating that the HRC will continue the investigation of the complaint and move toward a speedy resolution.

- From Commissioner Vivian Hallinan, to Mr. Fred E. Jordan, Chief Probation Officer, Juvenile Probation Department, a letter dated December 5, 1990, thanking Mr. Jordan for his presentation to the November 1, 1990, meeting of the HRC's Youth and Education Committee and his meeting on December 4, 1990, with Commissioner Hallinan and Gail Roberts.

- To Mr. Fred E. Jordan, Chief Probation Officer, Juvenile Probation Department, from Gail Roberts, staff to the Youth and Education Committee, a memorandum dated December 4, 1990, highlighting issues from the Committee meeting and asking for specific information.

- Copy of San Francisco Independent, December 1, 1990, "City Moves to Comply with Contract Law" by John R. Moses.

Waiver Requests Granted:

MBE/WBE/LBE waiver for the Public Utilities Commission granted to award a $45,000 contract to E.B. Power Generation, Inc., on the basis of sole source, granted December 6, 1990.

Waiver Requests Denied:

MBE/WBE waiver to the Department of Public Works, Clean Water

Program, to award a $100,000 contract to Duffy and Duffy, insufficient information to justify the sole source request, denied November 16, 1990.

REPORT OF THE CHAIRPERSON

Commissioner Kai reported that the Executive Director Search Committee has held their first meeting, and has approved and circulated a job announcement. An advertisement regarding the position has been placed in the Chronicle, and press releases have been sent to a wide variety of minority and community based press. A memorandum detailing the Executive Director search process, including the time table, has been circulated to the Commissioners.

Commissioner Gillette expressed concern regarding the lack of placing press releases with minority community media, given the Commission's commitment to affirmative action and equal opportunity employment.

*** Moved (Gillette), seconded (Lockhart) to place the Executive Director advertisement in the Sun Reporter and other minority media as determined by the Chair. Commissioner Kai indicated that there were funding concerns raised by this request, and that the placement of advertisements would be dependent on available funds.

Commissioner Jaber spoke in opposition to the motion, stating that this matter had been discussed and rejected by the Executive Director Search Committee in their meeting; that the motion did not address the logistical problems that would be faced by the staff in attempting to place paid advertisements in a short period of time; and that funding was not available for additional paid advertisements. Commissioner Gillette clarified that she was only seeking an advertisement in the Sun Reporter, and other minority media, and would leave the other advertisements to the discretion of the Chair or Executive Committee. Commissioners Gillette and Lockhart indicated the need to reach as wide an audience as possible, particularly in the African American and other minority communities. Peter Jamero indicated that funding appeared to be available for advertisements.

Commissioner Martin requested that this matter be referred to the Chair and Executive Director for resolution and action. Commissioner Kai indicated the Chronicle had been the most effective advertising mechanism in previous Executive Director searches.

*** The question was called on the motion to place a paid

advertisement in the Sun Reporter and other minority media. Commissioners Chinn, Gillette and Lockhart voted in support of the motion; Commissioners Graff, Jaber, Kai, Martin and Sammon voted in opposition; the motion failed.

Commissioner Kai reported on the American Civil Liberties Union (Northern California Chapter) reception honoring former Commissioner Phyllis Lyon and Del Martin. The HRC had three tables at the sold out event, and an HRC resolution was presented to the honorees at the event.

Commissioners Jaber and Martin attended a meeting with the Mayor's office to discuss the FY 90-91 budget. The Mayor's Office indicated that all City departments and commissions should prepare for budget cuts in the next fiscal year.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Jamero reported that as a result of the City's overall budget situation all new program activities would have to be supported within the existing budget. A schedule of the budget process will be circulated to the Commissioners; copies of the proposed budget and staff recommendations will also be distributed to the Commissioners.

In regard to the proposed move to 1170 Market Street, it appears that the Commission is on schedule, and that all necessary steps to implement the move are taking place.

A copy of a recent opinion from the City Attorney regarding the inclusion of the City Retirement System under the MBE/WBE program has been distributed to the Commissioners. A complaint currently being handled by Bayard Fong will now proceed, in that the City Attorney's office has resolved outstanding legal issues.

Executive Director Jamero noted that this would be his last full Commission meeting as Executive Director. In reflection he noted that it appeared that the Commission had not been fully supported in the past, and that this has impacted on the ability of the Commission to respond to various issues. Executive Director Jamero cited the appointment of the current Commissioners, and strong support from the Mayor's Office, as an indication of change. However, he noted, the Commission still has not achieved its prioritized goal of providing additional training resources to staff. The Commission also still needs to

address other resource issues, such as the telephone system and data processing systems. The Commission has made substantial progress in developing a new electronic data management system for the MBE/WBE program.

Executive Director Jamero also noted that a number of new activities have been initiated in the past 18 months, including the first Commission/management retreat; the first staff retreat; the restructuring of staff; the development of a hate violence reduction program; the addressing of staff shortages in the Lesbian/Gay and AIDS/HIV Unit; the Mayor's Executive Directive on MBE/WBE; and the preparations for the move. Additional work still needs to be done, particularly in the area of MBE/WBE.

Executive Director Jamero expressed his appreciation for the efforts and support of the Commissioners and staff over the last 22 months, and noted that the challenges facing the Commission are likely to grow in the future, and expressed his best wishes for the Commission's future actions.

On behalf of the Commission, Commissioner Kai expressed her appreciation for his efforts.

Commissioner Graff requested a staff update in regard to the revision of ordinances project. Norm Nickens reported that he and Jerry Davis are currently working on the project and that a progress report will be made to the Commission no later than February.

Commissioner Lockhart requested a copy of the response to the letter in the correspondence file requesting information about how to file a fair housing complaint. Commissioner Lockhart also indicated that she would like additional information about the meeting of the Commission on the Status of Women that the HRC Commissioners have been invited to attend.

EXECUTIVE COMMITTEE ITEMS

Adoption and presentation of resolution commending former Commissioner Isadore Pivnick. *** Moved (Martin), seconded (Graff) to approve a resolution commending former Commissioner Pivnick; motion passed unanimously.

Commissioner Kai presented the resolution to Isadore Pivnick on behalf of the Commission, and expressed the Commission's appreciation for his efforts and leadership on the Commission.

Former Commissioner Pivnick expressed his regret for leaving the

Commission as a result of time demands from his employment, and as a result of recent medical problems. In addition, he expressed his strong appreciation for the efforts of the staff and the members of the public who have actively participated in Commission meetings.

Adoption of 1990 Guidelines for HRC Standing Committees. Commissioner Graff requested that page 5, item 6, be changed to "At least four business days prior to the Commission's regular or special meeting..." Commissioner Lockhart requested that page 1, item 2, reflect that housing issues are the responsibility of the Issues Committee. Commissioner Lockhart expressed her strong support for the Guidelines as currently drafted, although she indicated that she intends to introduce further changes in the tone and direction of the Guidelines.

The Commissioners discussed the Commission's role in regard to state and federal legislation, and how this is addressed in the proposed Guidelines. The Commissioners also discussed the role of the Issues Committee, and noted that the Commission needs to monitor the workload of this Committee.

*** Moved (Sammon), seconded (Chinn) to approve the Guidelines as amended; motion passed unanimously. At the request of the Chair, further consideration of Executive Committee items was suspended in order to allow public testimony on the MBE/WBE Committee report.

STANDING COMMITTEES

MBE/WBE/LBE ADVISORY COMMITTEE:

Commissioner Jaber reported that the Committee had met on November 27, 1990. She expressed her concern that the Committee had not had an adequate opportunity to review the Third Quarter Report prior to this meeting, and that the Committee is still receiving public testimony on the report. Commissioner Jaber then invited public testimony:

Eddy Lau, Council of Asian American Business Associations - Mr. Lau referred to his November 26, 1990, letter to the Commission indicating that "Asian Indians" should be a separate category under the MBE/WBE program in order to address their specific needs; joint venture participation for MBE's and LBE's should be increased to 51%, and the situation of Asian architects and engineers should be reexamined; the definition of LBE should be reexamined, as should the "size standards" of contractors; the MBE preference should not be opened to firms outside of

San Francisco.

Raj Sahai, Asian Indian Association of America - Mr. Sahai indicated that "Asian Indians" were previously included in the "Asian" category, and are included in MBE/WBE programs in other jurisdictions. Mr. Sahai noted broad racial and cultural differences within the Asian community, and within the "Asian Indian" community. He urged the Commission to focus not on these differences, but on the experience in regard to discrimination of Asians, including "Asian Indians," in the United States. He noted that the goal of the program is to reduce discrimination, and expressed his regret that elements of one minority community would object to the inclusion of another minority community.

Peter Lam, Council of Asian American Business Associations - Inquired as to what actions the Commission would take on the recommendations that have been made to the Commission, e.g. what recommendations is the Commission planning to make to the Board of Supervisors. Mr. Lam further noted the impact of the Croson decision on this situation, and the factual showing that is required under Croson.

K. Krishna - Mr. Krishna noted the history of "separate but equal" programs in the past, and encouraged the Commission to transcend these differences. He urged the Commission to focus its attention on the parties who have suffered as a result of discrimination, and further urged the inclusion of "Asian Indians" in the Asian category.

Harold Yee, Asian Inc. - Mr. Yee urged the Commission to strengthen its analytical and statistical capability, particularly focusing on the entry of new groups, including "Asian Indians" and Native Americans, into the MBE/WBE program. He further urged the Commissioners to use additional time to consider this issue, as a result of its importance to the communities affected. Mr. Yee urged the Commission staff to consider the inclusion of Native Americans and "Asian Indians" under the MBE program, as allowed within the constraints of the Croson decision. He further noted that the category Asian covered two-thirds of the population of the world, and that there is a need to further refine this category. Croson allows for specific remedial remedies to be tailored for individual communities, and the "Asian Indian" community should be considered a separate category in order to facilitate an appropriate remedy.

LaVerda Allen, Asian Indian American Association - Ms. Allen noted her past history of opposing discrimination on the basis of race and creed, and noted that issues of discrimination were

involved in this issue. She expressed her regret that elements of one community would engage in a divisive campaign to exclude another community from inclusion in the MBE/WBE program. She urged the Commissioners not be persuaded by the self-interest of one community, but instead to focus on the critical issue of discrimination and its effects. She noted that Croson established a process for inclusion but did not establish the categories to be included. Asian Indians were previously included in the ordinance, and their inclusion would not affect the participation of the Asian category. Staff has recommended inclusion of "Asian Indians" in the Asian category, and urged the Commission to follow the staff recommendation. She also stated that the Commission should focus on "increasing the pie" for all groups, and not the self-interest of one particular group. San Francisco need "not, nor can or must, show the world that they can develop finite ethnic groupings by type and severity of discrimination." Discrimination of all forms must be opposed, and the Commission cannot compromise on this position.

Beverly Austin - Urged the inclusion of the Native American community. In particular she urged greater attention to the Native American business community, in the whole Bay Area.

Commissioner Jaber noted that this issue has been the focus of much community attention, and has been under review by the staff. After staff analysis of the relevant available data, staff concluded that inclusion or exclusion of the "Asian Indian" group would not affect the Asian category. After reviewing the statistical data, and consulting affected communities, the staff has recommended that "Asian Indians" be included in the Asian category of disadvantaged minority groups. She further stated that it has always been the policy of the Commission to seek broad inclusion in the City's affirmative action and MBE/WBE programs.

Commissioner Jaber, Chair of the MBE/WBE Advisory Committee, made the following statement:

These has been a growing sentiment among some members of the Asian community, particularly in the Chinese business community, that Asian Indians should not be put in the MBE/WBE/LBE ordinance under the current Asian category with its several subgroups. Those in the current asian category feel that Asian Indians and other from the subcontinent of asia should be placed in a separate category under the ordinance because their experience of discrimination in this country has been different than the experience of Asian/Pacific Islanders in the current asian category of the ordinance. The Asian Indians strongly disagree.

In view of this controversy, HRC staff was asked to review its

own recommendation for a change in the ordinance which would put Asian Indians in the asian category. The staff reviewed the statistical data and the analysis of that data which laid the basis for assigning the preference for the various ethnic groups. Analyses were made using the original data used to create the ordinance and it was found that there was no statistically significant difference in the Asian category whether the Asian Indians were included or excluded from the category. In other words, the Asian category is not affected whether you include or exclude Asian Indians.

In addition, the statistical consultant informed the staff that Asian Indians represent such a small group as do Filipinos and other subgroups in the current Asian category, that no statistical inference of discrimination could be made for class alone because of the small numbers involved.

With that statistical underpinning, the HRC staff has reaffirmed its recommendation to the MBE/WBE Advisory Committee that Asian Indians be included in the Asian category of disadvantaged minority groups. It has always been the philosophy of the Human Rights Commission to make every effort to include rather than exclude disadvantaged minorities from the umbrella of affirmative action.

By action of the Board of Supervisors, Asian Indians have been included in the Asian category.

Commissioner Gillette inquired as to whether the Committee had addressed the status of the Native American Community, and was informed that the Committee has not yet had the opportunity to make a recommendation on this issue.

Commissioner Kai summarized that the position of the Commission is that "Asian Indians" should be included in the Asian category, and that recommendation still stands.

*** Moved (Chinn), seconded (Lockhart) to accept the Committee report; motion passed unanimously.

(NOTE: the Commission took a 10 minute recess at this point)

EXECUTIVE COMMITTEE ITEMS CONTINUED:

A Report on Neighborhood Meetings was made by Gail Roberts and Jaime Peckham (Intern). Ms. Roberts summarized a written report dated December 10, 1990, submitted to the Commissioners regarding neighborhood meetings. The Report included information on the activities of other City Commissions in regard to neighborhood minutes, and staff is continuing to develop recommendations.

Commissioner Graff requested a summary of the Commission's goals in holding neighborhood meetings. Jaime Peckham indicated that based on her interviews with the Commissioners it appeared that the Commissioners had not achieved consensus on the desired outcome of neighborhood meetings. Some of the goals that were indicated by the nine Commissioners interviewed included viability in the community; community participation; and identification of community concerns and needs.

Commissioner Graff noted the success of the Traffic Commission in obtaining public participation and involvement, and urged the staff to continue to review proposals for increasing public involvement. Commissioners Bermudez and Martin also urged greater community involvement in Commission activities, and noted the need for increased community viability on the part of the Commission. Commissioner Lockhart noted that individual Commissioners also have a role to play in increasing community participation in Commission activities, and in contacting appropriate community leaders.

The Commissioners discussed the second meeting in January, and the desirability of conducting the meeting in the neighborhoods. Commissioner Lockhart requested additional information from staff regarding the impact on staff of conducting neighborhood meetings.

James Fields encouraged the Commissioners to fully research issues affecting particular communities and neighborhoods prior to holding meetings in those neighborhoods. Gail Roberts noted that the outreach activities performed by other Commissions varied considerably, as did their success.

*** Moved (Kai), seconded (Chinn) to ratify and adopt the HRC resolution presented to Phyllis Lyon and Del Martin; the resolution had previously been approved in concept but not as to form; motion passed unanimously.

*** Moved (Lockhart), seconded (Chinn) to co-sponsor and participate in events observing the Martin Luther King holiday, at the discretion of the Chair; motion passed unanimously.

STANDING COMMITTEE REPORTS CONTINUED

ISSUES COMMITTEE:

Commissioner Sammon reported on the Issues Committee's meeting with a representative from the Office of Citizen Complaints, and the Committee's response to a complaint received from

representatives of the homeless. Commissioner Sammon and Don Hesse have met with representatives from the Police Department to discuss the concern raised by the homeless regarding guidelines for the enforcement of certain Code provisions.

The Committee is also reviewing, with the American Civil Liberties Union and other advocacy groups, new admissions policies that have been proposed by the San Francisco Housing Authority. The policies are intended to exclude drug dealers from public housing, but are vague and overly broad as currently drafted. Citing one example, Commissioner Sammon noted that the policy required a "stable home environment." The Committee is continuing to work with the ACLU and the Housing Authority on this issue.

Commissioner Sammon expressed concern that on October 28, 1990, the Commission sent a letter to former Police Chief Jordan, and to the Police Commission, and that a response has not yet been received.

Commissioner Sammon informed the Commissioners that a debate regarding Proposition D on the November, 1990, ballot occurred before the Issues Committee. An article appearing in the Bay Area Reporter concerning this debate misquoted Commissioner Sammon, and Don Hesse has prepared a letter requesting a correction.

EMPLOYMENT COMMITTEE:

James Fields indicated that a written report would be submitted to the Commissioners for consideration at the next Commission meeting. Commissioner Jaber sought clarification regarding a letter sent to the Mayor's Office by the Employment Committee regarding the Mayor's Executive Directive. Mr. Fields indicated that the letter concerned the difficulties that small vendors face in receiving prompt payment by the City and County of San Francisco. Commissioner Jaber requested that in the future items relevant to the MBE/WBE Advisory Committee be brought to the attention of that committee when considered by other committees.

LESBIAN/GAY ADVISORY COMMITTEE:

Commissioner Chinn reported on the events of November 30, 1990, World AIDS Day. The Commission was actively involved in these events. The Committee is also reviewing a series of actions concerning the Office of Citizen Complaints, and will be working

jointly with the Issues Committee to address these issues.

Norm Nickens reported on sexual orientation and AIDS/HIV issues in the 1990 legislative session at the state and federal level, and the Committee's discussion of a staff report on domestic partnership.

YOUTH AND EDUCATION COMMITTEE:

Commissioner Kai reported that the Committee is examining allegations of race and gender discrimination in the Unified School District's Special Education programs. Commissioner Lockhart requested that the issue of disabled students also be reviewed by the Committee.

*** Moved (Graff), seconded (Chinn) to accept all committee reports; motion passed unanimously.

NEW MATTERS

Commissioner Graff inquired as to what steps were being taken to fill the position of Executive Director on an interim basis. Executive Director Jamero and Commissioner Jaber indicated that they were working to address this issue.

Commissioners Sammon, Lockhart and Kai expressed their appreciation for the efforts of Peter Jamero as Executive Director, and Commissioner Kai noted that the Commission will see benefits from his efforts in the future.

CALENDAR MATTERS

The next regular meeting of the Commission will be on Thursday, January 10, 1991, 9:00 A.M., at the Fire Commission, Room 201, 260 Golden Gate Avenue, San Francisco, CA.

STANDING COMMITTEES:

EMPLOYMENT COMMITTEE — Thursday, January 3, 1991
9:00 AM
War Memorial Bldg., Room 110B
401 Van Ness Avenue

LESBIAN/GAY ADVISORY	Tuesday, January 22, 1991 5:30 PM War Memorial Bldg., Room 110B 401 Van Ness Avenue
ISSUES	Tuesday, January 15, 1991 9:00 AM HRC offices, Room 509 1095 Market Street
MINORITY/WOMEN/LOCAL BUSINESS ENTERPRISES	To be announced
YOUTH AND EDUCATION	Thursday, January 17, 1991 3:30 P.M. Commission on Aging 25 Van Ness Avenue, 6th Fl.

REMARKS FROM THE AUDIENCE

Ms. Berkowitz, representing the Grant Building (the current location of the Commission) appeared before the Commission to express her opposition to the Commission's planned move.

ADJOURNMENT

Commissioner Kai adjourned the meeting at 12:22 PM.

Respectfully submitted,

Adelbert Campbell
Interim Executive Director
by Norm Nickens, Coordinator

AC:NN:nn

SAN FRANCISCO PUBLIC LIBRARY
JAN--'91
111 .13
BLK. RT.

Govt Docs Department
Public Library
Larkin & McAllister Streets
San Francisco, CA 94102

City and County of San Francisco

Human Rights Commission

Office of Minority/Women Business Enterprise

Office of Contract Compliance

Office of Dispute Resolution

F
80
1
12/27/90
Special

AGENDA

MEMORANDUM

To: Human Rights Commissioners **Date:** December 21, 1990

From: Commissioner Karen N. Kai
Chair

Subject: Special Emergency Meeting of the Commission

I am calling a special emergency meeting of the Commission for one item: the desigantion of Adelbert Campbell as Interim Director, effective January 1, 1991.

This special Commission meeting will be:

DATE: Thursday, December 27, 1990

TIME: 9:30 AM

PLACE: Conference Room 509
HRC Offices
1095 Market Street.

The meeting of the Executive Director Search Committee will commence immediately following this special meeting of the Commission.

Thank you.

KNK:GPR:bct
(Special Emergency Mtg.

DEC -

(415) 558-4901 Suite 501, 1095 Market Street San Francisco 94103